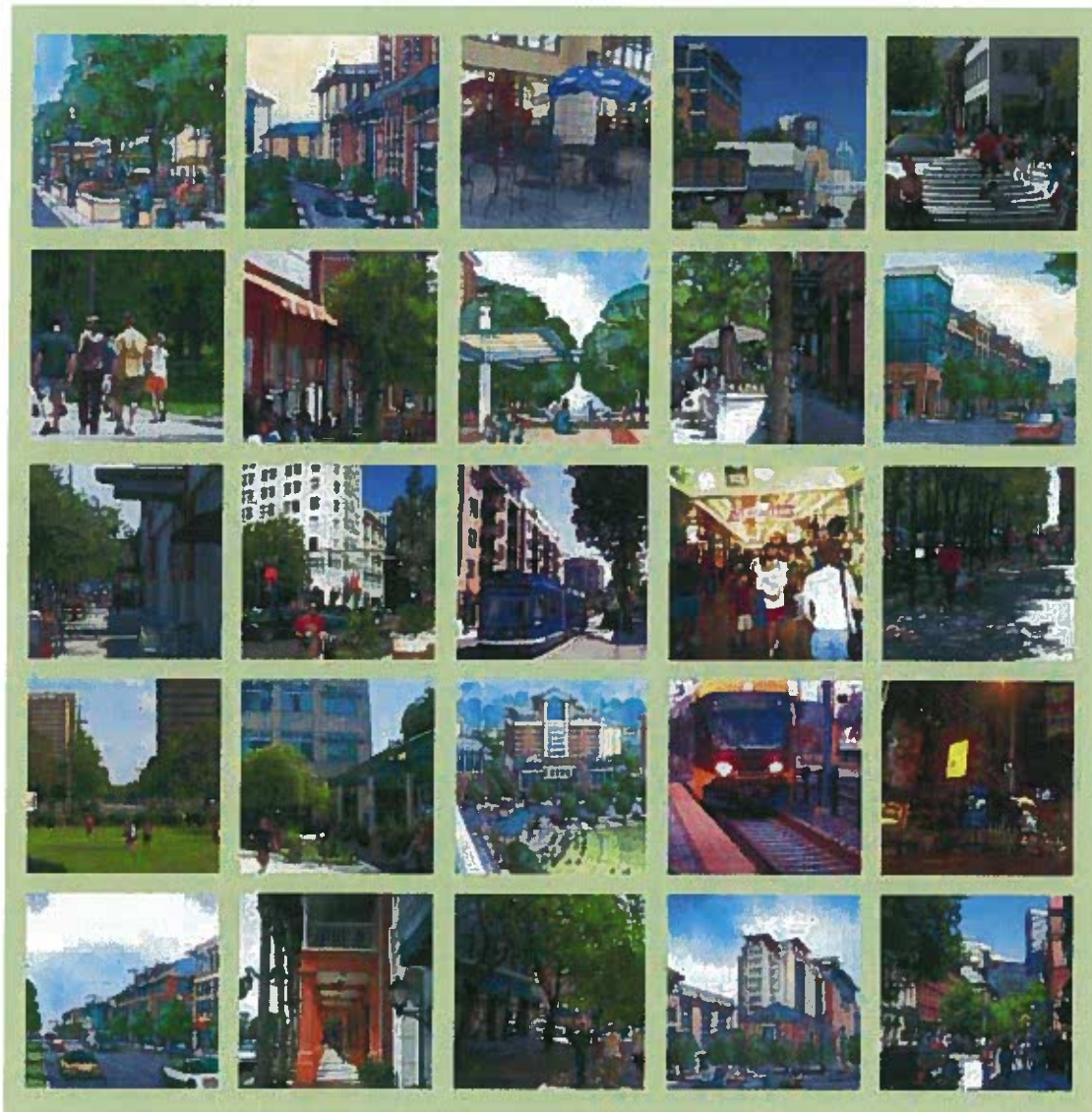


DRAFT Regulating Plan for the
North Burnet/Gateway Zoning District
Austin, Texas



DRAFT: March 2, 2009

DATE ADOPTED: _____

DATE EFFECTIVE: _____

BASED ON THE NORTH BURNET/GATEWAY MASTER PLAN:
Adopted November 1, 2007

**DRAFT REGULATING PLAN for the
North Burnet/Gateway Zoning District**

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BACKGROUND

On November 1, 2007 the Austin City Council adopted the North Burnet/Gateway Master Plan as an amendment to the Austin Tomorrow Comprehensive Plan and created the North Burnet/Gateway Overlay District to implement the land use recommendations of the plan. The planning area comprises approximately 2,300 acres in north central Austin that will be well-served by transit and has the potential to include two regional Transit-Oriented Development (TOD) nodes; one along the Capital Metro commuter rail line which will begin service in Spring 2009 and another along the potential future Austin-San Antonio Intermunicipal Commuter Rail line which is in the planning stage.

Transit-oriented Development (TOD) is an increasingly popular tool for cities across the U.S. to create more livable communities and combat urban sprawl, which has a number of negative cultural, economic, environmental, and social consequences that are felt in both urban and suburban areas. Sprawl can threaten the quality of life in the central city and inner suburbs due to the risk of deteriorating infrastructure, poor schools, and a shortage of affordable, quality housing. In newer suburban areas, sprawl can cause increased traffic congestion and declining air quality, the absence of a sense of place, and the loss of open space. Since the mid-1990s, the City of Austin has taken steps to redirect Austin's explosive growth away from suburban areas back towards the central city and improve development patterns through a number of land use and planning initiatives.

The North Burnet/Gateway (NBG) Master Plan presents a long-term vision for the area to redevelop the existing low density, auto-oriented commercial, warehouse and industrial uses into a higher density urban mixed-use neighborhood that is more pedestrian- and bicycle-friendly and takes advantage of the links to commuter rail transit and the area's key position within Austin's Urban Core. The intent is to allow a significant number of new residents to move into the area to accommodate some of the expected population growth in the region and to provide the associated community and neighborhood services, parks, and public space important to making a great neighborhood. These may include restaurants, small local businesses, retailers, and multi-story, mixed use buildings with direct pedestrian access to public transit. An important element of the plan is to enhance development design quality and create great places where people can live, work, shop, interact and recreate within a walking distance of one another.

The type of urban development envisioned in the NBG Master Plan requires modifications to the existing zoning and development regulations. This Document is intended to implement the Master Plan's land use and urban design recommendations by establishing a clear, user-friendly and legally enforceable ordinance that will result in improved development quality in the North Burnet/Gateway area. In conjunction with the adoption of this Document, properties formerly within the NBG Overlay District will be given North Burnet/Gateway base district zoning. This Document specifies the regulations for the NBG Zoning District (Figure 1-1). For properties within the North Burnet/Gateway Zoning District, this Document will supersede Subchapter E: Design Standards and Mixed Use (Subchapter E), which applies Citywide; however, the intent statements and standards within this Document are consistent with the development and design principles of Subchapter E.

This Document was adopted on _____, and will become effective on _____.

HOW TO USE THIS DOCUMENT

Applicability Is Based on NBG Subdistrict and Adjacent Roadway Type

Because many of the standards in this Document are defined based on the North Burnet/Gateway (NBG) Subdistrict applicable to the property in question and the roadway type(s) adjacent to it, an important first step in the development process is to identify them. The size of the site and the type of development (residential, commercial, mixed use, etc.) also need to be considered, since different standards may apply. The applicability chart in Article 1 summarizes the applicability of all the standards in this Document, based on the NBG Subdistrict, type of adjacent roadways, and development activity.

NBG Subdistricts

The boundaries of the NBG Subdistricts are shown in Figure 1-2. Permitted land uses and general development and urban design standards for a property are based upon the applicable NBG Subdistrict. The six Subdistricts in the North Burnet/Gateway Zoning District are:

Transit-Oriented Development (TOD) is the highest density subdistrict in the North Burnet/Gateway area with the greatest focus on providing active pedestrian oriented uses at the ground level of buildings. Density is enabled to the highest degree in the “TOD-Gateway area” closest to the rail station and to a lesser degree elsewhere.

Within the TOD Subdistrict certain areas are identified as active edges on the NBG Subdistrict Map. An active edge designation imposes additional specific land use and design requirements for development at visible intersections and along key streets that lead to the rail station.

Commercial Mixed Use (CMU) is a high density mixed-use subdistrict, appropriate for high rise residential, major employers, destination retail and large scale civic uses.

Neighborhood Mixed Use (NMU) is intended to be primarily mid-rise residential with neighborhood-oriented retail and smaller employers.

Neighborhood Residential (NR) is used for primarily attached housing and neighborhood retail to transition to existing residential neighborhoods outside the NBG Zoning District. Local retail and supporting civic uses are also allowed.

Warehouse Mixed-Use (WMU) accommodates existing and new industrial warehouse uses and enables development of residential and local retail uses.

Commercial Industrial (CI) accommodates existing and new industrial uses while enabling diversification.

Roadway Types

The four NBG roadway types are shown on the NBG Roadway Type Map in Figure 1-3. Because roadways provide both access to a site and define the urban design framework of the City, roadway types have been used as an organizing tool to establish many of the sidewalk, streetscape and building placement standards in this Document. This approach is intended to provide a consistent regulatory approach between Subchapter E and this Document and to help ensure a cohesive development pattern along Austin's streets and remove some of the inconsistency that arises from having a variety of zoning districts and development standards fronting a single roadway.

Using Subchapter E as a model, the following four types of roadways are applicable to the North Burnet/Gateway Zoning District covered by this Document:

NBG Core Transit Corridors include roadways within the NBG Zoning District that have or will have a sufficient population density, mix of uses, and transit facilities to encourage and support transit use. They have a high level of visibility and offer some of the best locations for retail service activity. NBG Core Transit Corridors are the designated portions of the following roadways within the boundaries of the NBG Zoning District:

- Burnet Road
- Braker Lane
- Kramer Lane
- Stonelake Blvd.
- Capital of Texas Hwy

NBG Pedestrian Priority Collectors are existing and future collector streets that also serve as primary pedestrian routes within the NBG Zoning District. Article 3 of this Document identifies locations for new collector streets to form direct vehicular, bicycle and pedestrian connections between major roadways in the NBG Planning Area as the area redevelops (see Figure 3-12: NBG Collector Street Plan). All new streets built in accordance with the NBG Collector Street Plan will be designated as an NBG Pedestrian Priority Collector.

NBG Urban Roadways are all existing and future streets located within the NBG Zoning District not designated as NBG Core Transit Corridors, NBG Pedestrian Priority Collectors or NBG Highways, excluding smaller circulation routes like alleys. These streets form the finer grained network of streets that complement the transportation framework created by the other roadway types. Any new street in the NBG Zoning District that does not have NBG Core Transit Corridor, NBG Pedestrian Priority Collector or NBG Highway designation, nor is identified as a proposed new collector street on Figure 3-12: NBG Collector Street Plan, will be designated a NBG Urban Roadway for the purpose of applying the standards in this Document.

NBG Highways include MoPac (Loop 1) and Highway 183 (Research Blvd.) and their frontage roads in the NBG Zoning District boundaries.

Figure 1-1 : North Burnet / Gateway (NBG) Zoning District

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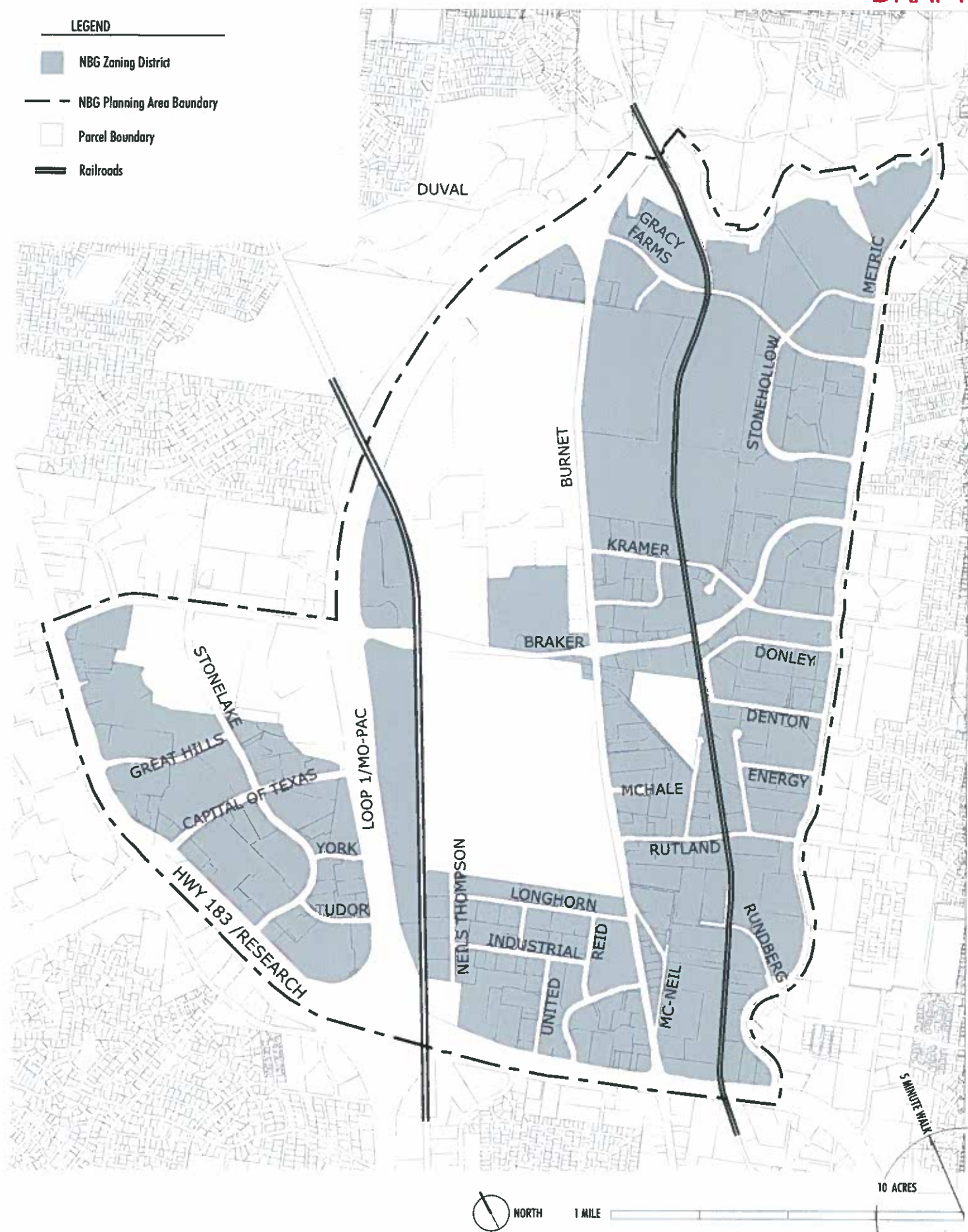


Figure 1 - 2 : North Burnet / Gateway (NBG) Zoning District
Subdistrict Map

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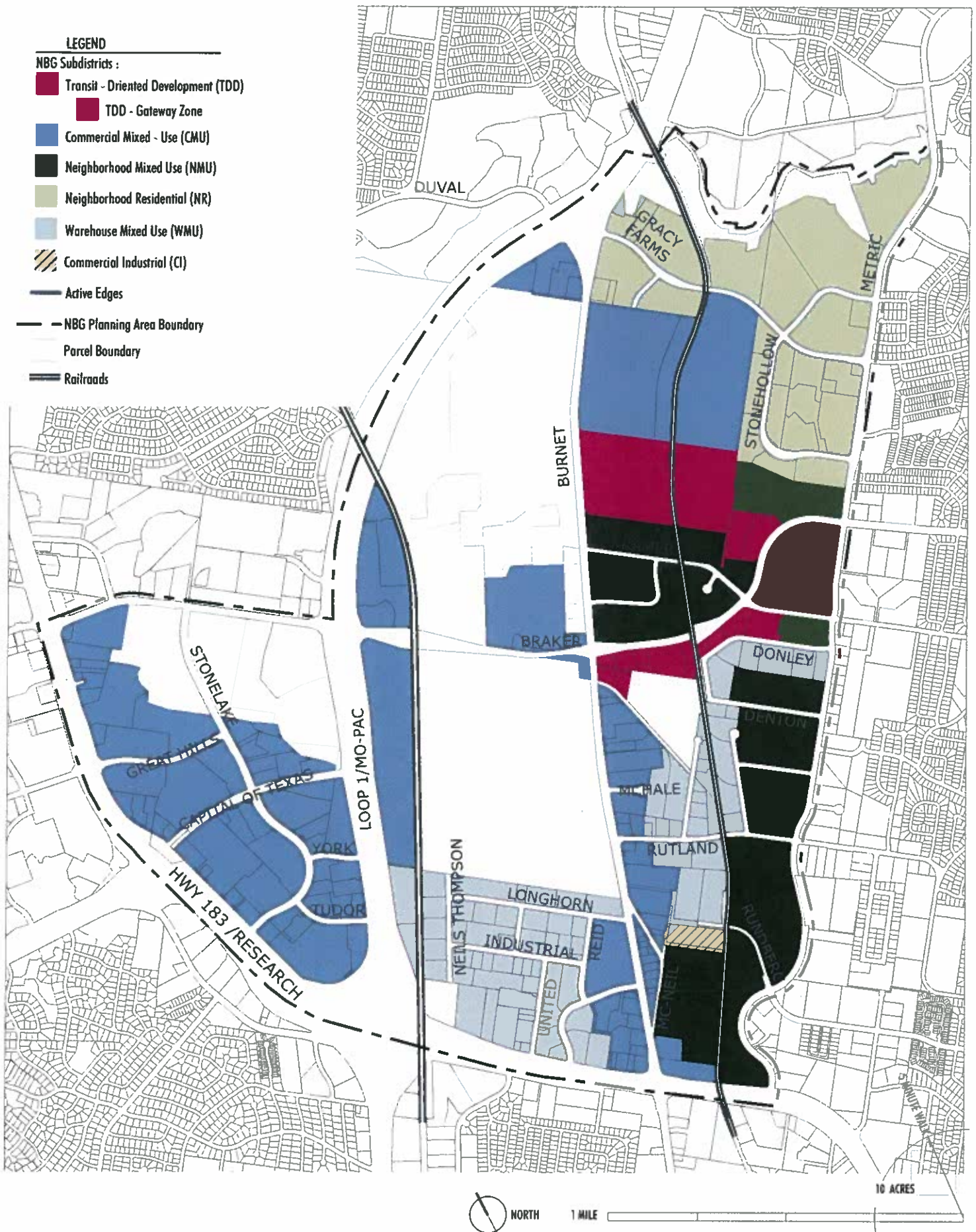
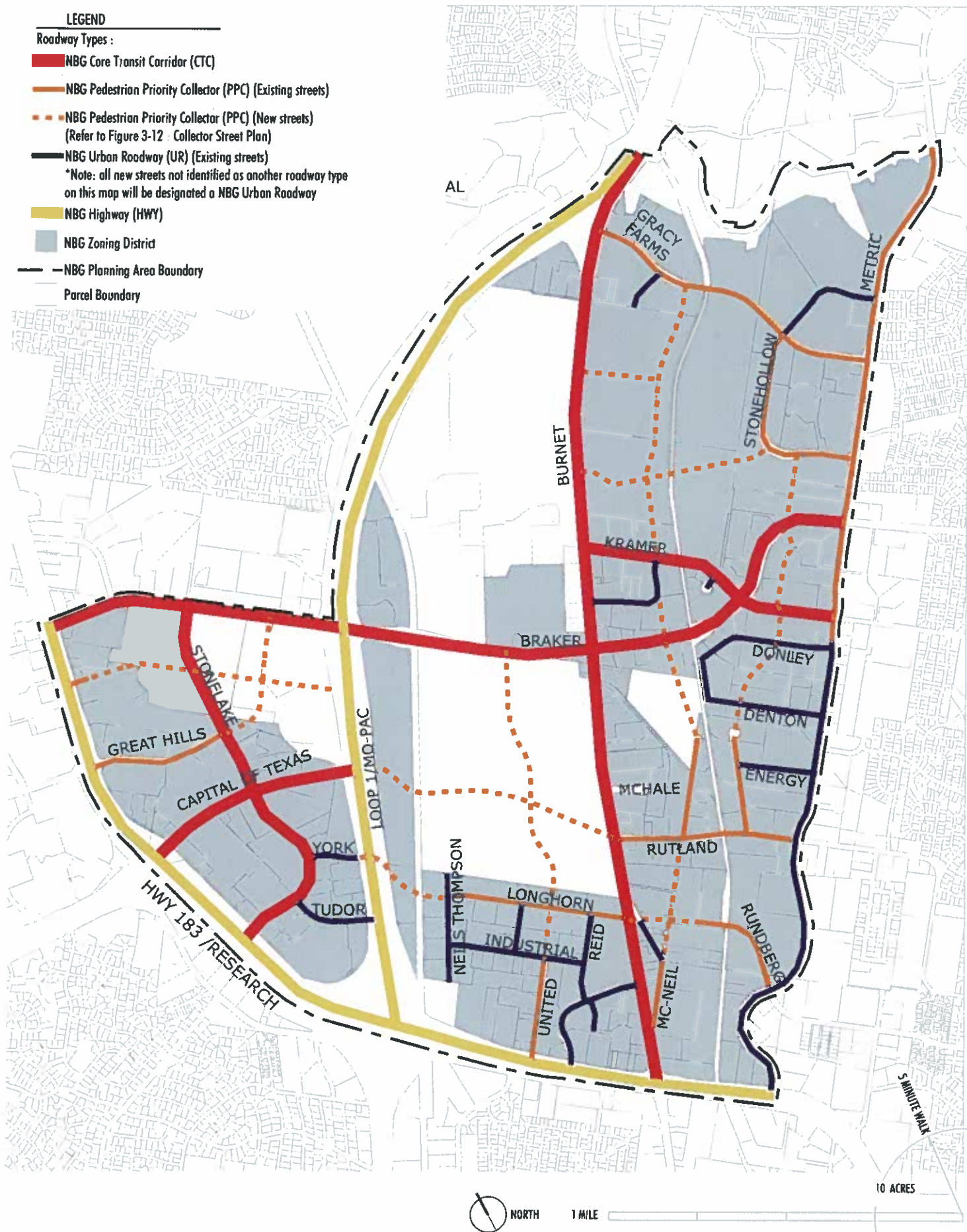


Figure 1-3 : North Burnet / Gateway (NBG) Zoning District
Roadway Types Map

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How This Document is Organized

This Document is divided into seven Articles.

Article 1 includes **General Provisions** that should be reviewed for all properties in the NBG Zoning District. Article 1 also includes a chart that summarizes the applicability of the various standards based on NBG Subdistricts (Figure 1-2), NBG Roadway Types (Figure 1-3) and development types.

This Article also encourages creativity and innovative design by allowing an applicant to propose an alternative approach to meeting the standards of the Document through the "alternative equivalent compliance" provision.

Article 2 includes **Land Use** requirements for each NBG Subdistrict. Standards in this Article address the following:

- Permitted, conditional, and prohibited uses

Article 3 includes **Circulation, Connectivity, and Streetscape** requirements. Standards in this Article are based on roadway type and address the following:

- Sidewalks;
- On-street parking; and
- On-site circulation and off-site connectivity

Article 4 includes **Site Development Standards** intended to ensure that buildings relate appropriately to surrounding developments and streets, promote efficient on-site pedestrian and vehicle circulation, and provide adequate parking in safe and appropriate locations. Most of these standards are based on NBG Subdistricts or are applicable to all development in the NBG Zoning District. However, the relationship of buildings to streets and walkways is based on roadway type. Standards in this Article address the following:

- General development standards;
- Relationship of buildings to streets and walkways (based on roadway type);
- Off-street parking;
- Drive-through facility standards;
- Exterior lighting and screening of equipment and utilities;
- Sign regulations;
- Private common open space and pedestrian amenities; and
- Public open space and trails; and
- Stormwater management.

Article 5 includes **Building Design Standards** intended to address the physical appearance of all buildings subject to this Document. Included are standards for:

- Building entrances
- Window glazing;
- Shading;
- Building façade treatment;

- Green building standards; and
- Ground floor treatment of active edge mixed use buildings.

Article 6 includes **Development Bonus Standards** which provide development incentives for projects to contribute to the provision of "public benefits" by providing new collector streets, affordable housing on-site, or by providing a fee-in-lieu of payment to be allocated by the City to serve one or more of the following purposes:

- Affordable housing;
- Vehicular, bicycle or pedestrian connectivity;
- Stormwater management;
- Parks and open space;
- Civic facilities;
- Green buildings and sustainability; and/or
- Future transit facilities.

Article 7 includes **Definitions** for terms used in this Document.

Appendix A includes **NBG Street Cross-Section Standards** for new streets built within the North Burnet/Gateway Zoning District.

Appendix B includes the **2035 Conceptual Master Plan illustration** from the NBG Master Plan, adopted November 1, 2007. This illustration includes conceptual locations for distributed parks and open space.

Appendix C includes photos and illustrations of **Water Quality Control Best Management Practices (voluntary)** as described in the City of Austin Environmental Criteria Manual Section 1.6. Development projects and new streets within the NBG Planning Area are encouraged to incorporate these innovative water quality controls into the project design.

Appendix D provides **illustrations of impervious cover and drainage pattern assumptions for regional stormwater detention ponds** near MoPac (Z-K, PSP 1, PSP 2, and MoPac ponds). Properties included on these illustrations, if developed in accordance with the assumptions, may be able to utilize the regional ponds to fulfill stormwater management requirements instead of building individual detention ponds on site.

ARTICLE 1: GENERAL PROVISIONS

1.1. GENERAL INTENT

This Document addresses the physical relationship between development and adjacent properties, streets, neighborhoods, and the natural environment in order to implement the North Burnet/Gateway Master Plan vision of creating a high-density mixed-use neighborhood that is pedestrian and transit-friendly. The general purposes of this Document are:

- 1.1.1.** To promote the Vision for the North Burnet/Gateway Master Plan;
- 1.1.2.** To provide appropriate standards to ensure a high quality appearance for development and redevelopment within the NBG Zoning District and promote pedestrian-friendly design while also allowing for individuality, creativity, and artistic expression;
- 1.1.3.** To improve the area's access to high quality transit services and create an environment that promotes walking and cycling;
- 1.1.4.** To promote TOD principles around the transit stations in order to successfully integrate land use and transit by providing greater density than the community average, a mix of uses, and a quality pedestrian environment around a defined center;
- 1.1.5.** To encourage development and redevelopment that relates to and connects with adjoining streets, transit, bikeways, pathways, open spaces, and neighborhoods;
- 1.1.6.** To allow for and encourage significant higher density residential uses to accommodate some of the region's expected population growth;
- 1.1.7.** To encourage development that serves people of all incomes and ages and provides a safe and welcoming environment for all types of households; and
- 1.1.8.** To provide standards to ensure quality usable open space for new residential development, employees, and visitors as redevelopment occurs.
- 1.1.9.** To promote sustainable stormwater management and watershed protection practices, and provide standards that can be administered in a comprehensive manner in the NBG Zoning District.
- 1.1.10.** To provide a set of standards that are clear and consistent throughout the NBG Zoning District to facilitate development, redevelopment, and property assembly, in addition to being flexible and responsive to market conditions and fluctuations.

1.2. APPLICABILITY

1.2.1. General Applicability

This Document applies to all development within the NBG Zoning District as shown in Figure 1-1. This Document sets forth the regulations for the North Burnet/Gateway Zoning District. The relevance of the regulations in Articles 2 through 7 will vary based upon the NBG Subdistrict that applies to a specific piece of property and the type of roadway(s) that is adjacent to it as well as the size of the site and type of development. Figures 1-4 and 1-5 summarize the applicability of each Article and section of this Document.

Figure 1-4: Applicability Summary Table – Land Use, Dedication of Collector Streets, General Development Standards, Public Open Space, and Development Bonus (applicable to all development in the NBG Zoning District)

Section:	Standard:	Application:
Article 2 Land Use Standards:		
2.3: NBG Subdistricts	All standards	All properties in the NBG Zoning District
Article 3 Circulation, Connectivity and Streetscape		
3.5: Connectivity and Circulation	3.5.2 Dedication of NBG Collector Streets	All development.
Article 4 Site Development Standards		
4.2: General Development Standards	All standards	All properties in the NBG Zoning District
4.10: Public Open Space and Trails	4.10.3 Parkland Dedication	All development subject to the Parkland Dedication Ordinance (LDC Section 25-1-601)
Article 6 Development Bonus:		
6.2: Interim Development Bonus Standards	All standards	All properties or portions of properties in the NBG Zoning District are eligible for a development bonus.

Figure 1-5: Applicability Summary Table – NBG Design Standards

(see Subsection 1.2.3 for general applicability of NBG Design Standards)

Section:	Standard:	Applies if the NBG Subdistrict Is:	Applies if the Principal or Adjacent Street Is:	Applies to the Following:
Article 3 Circulation, Connectivity, and Streetscape:				
3.3: Sidewalk Standards	3.3.2. Sidewalk Standards for All Roadway Types	All subdistricts	All roadway types	-All development -Requirement must be met on all adjacent roadway types
	3.3.3. Alternative Requirements for Shallow Lots on NBG Core Transit Corridors	All subdistricts	NBG Core Transit Corridors	All development
	3.3.4. Sidewalk Exemption for Edge Streets	All subdistricts	All roadway types	All development
3.4: On-Street Parking	All standards	All subdistricts	NBG Core Transit Corridors NBG Ped. Priority Collectors NBG Urban Roadways	Optional for all development
3.5: Connectivity and Circulation	3.5.1. Project Circulation Plan	All subdistricts	All roadway types	All development
	3.5.3 Standards for New Streets	All subdistricts	Not Applicable	Any new street built in the NBG Zoning District
	3.5.4. Block Standards	All subdistricts	All roadway types	A site five acres or larger, or any block face exceeding 500 feet in length.
	3.5.5. Curb-cut Spacing Standards	All subdistricts	All roadway types	All development
	3.5.6. Curb-cut Dimensional Standards	All subdistricts	All roadway types	All development

Section:	Standard:	Applies if the NBG Subdistrict Is:	Applies if the Principal or Adjacent Street Is:	Applies to the Following:
3.5: Connectivity and Circulation (cont')	3.5.7. Commercial and Residential Alleys	All subdistricts	All roadway types	Optional for all development
	3.5.8. Pedestrian, Bicycle, and Vehicular Connectivity	All subdistricts	All roadway types	All development
Article 4 Site Development Standards:				
4.3: Relationship of Buildings to Streets and Walkways	4.3.3 Building Placement	All subdistricts	NBG Core Transit Corridors NBG Ped. Priority Collectors NBG Urban Roadways	- All development - Required along the principal street - Corner site provisions - Active Edge standards - Industrial use provisions
	4.3.4 Supplemental Zones	All subdistricts	NBG Core Transit Corridors NBG Ped. Priority Collectors NBG Urban Roadways	Optional for all development
4.4: Off-Street Vehicular and Bicycle Parking	All standards	All subdistricts	All roadway types	- All development - Active Edge standards
4.5: Drive-Through Facility Standards	All standards	CMU, NMU, WMU, and CI subdistricts	All roadway types	Drive-through facilities
4.6: Exterior Lighting	All standards	All subdistricts	All roadway types	All development except Duplex, Single Family Attached, Townhouse, and Two Family Residential Uses
4.7: Screening of Equipment and Utilities	All standards	All subdistricts	All roadway types	- All development - Exceptions are: local utility services, electric service, transformers within the ROW and telecommunication towers.
4.8: Sign Regulations	All standards	TOD, CMU, NMU, NR subdistricts	NBG Core Transit Corridors NBG Ped. Priority Collectors NBG Urban Roadways	All development
4.9: Private Common Open Space & Amenities	All standards	All subdistricts	All roadway types	All development sites two acres in size or larger
4.11: Stormwater Management	All standards	All subdistricts	All roadway types	All development
Article 5: Building Design Standards:				
5.3: Building Entrances	Section 5.3.1 Building Entrance Standards for Pedestrians	All subdistricts	NBG Core Transit Corridors NBG Ped. Priority Collectors NBG Urban Roadways	- All development - Corner site provisions - Active Edge standards
	Section 5.3.2 Building Entrance and Exit Standards for Vehicles	All subdistricts	NBG Core Transit Corridors NBG Ped. Priority Collectors NBG Urban Roadways	- All development except Duplex, Single-Family Attached, Townhouse, and Two-Family Residential uses - Corner site provisions
5.4: Window Glazing	All standards	All subdistricts	NBG Core Transit Corridors NBG Ped. Priority Collectors NBG Urban Roadways	- All development except Duplex, Single-Family Attached, Townhouse, and Two-Family Residential uses - Corner site provisions

Section:	Standard:	Applies if the NBG Subdistrict Is:	Applies if the Principal or Adjacent Street Is:	Applies to the Following:
5.5: Shade and Shelter	All standards	All subdistricts	All roadway types	- All mixed use and non-residential development - Development along an active edge - Corner site provisions
5.6: Building Façade Articulation	All standards	All subdistricts	All roadway types	Building facades greater than 40 feet in length
5.7: Green Building Standards	All standards	All subdistricts	All roadway types	All development
5.8: Active Edge Standards	All standards	TOD subdistrict	NBG Core Transit Corridors NBG Ped. Priority Collectors	- Development along all active edge designations, except Emergency Service Providers - Off street parking provided as part of a building or parking structure adjacent to any roadway type.

1.2.2. Land Use and General Development Standards

- A. All properties in the NBG Zoning District are subject to the following Articles and Sections of this Document (see Figure 1-4):
1. Article 2, Land Use Standards;
 2. Subsection 3.5.2, Dedication of NBG Collector Streets
 3. Section 4.2, General Development Standards;
 4. Section 4.10, Public Open Space and Trails; and
 5. Article 6, Development Bonus

1.2.3. NBG Design Standards

- A. For purposes of applying the design standards in this Document, NBG Design Standards are (see Figure 1-5):
1. Article 3, Circulation, Connectivity, and Streetscape (except Subsection 3.5.2 Dedication of NBG Collector Streets);
 2. Article 4, Site Development Standards (except Section 4.2 General Standards and Section 4.10 Public Open Space and Trails);
 3. Article 5, Building Design Standards.

B. General Exemptions from the NBG Design Standards

The following types of development are exempt from the NBG Design Standards of this Document:

1. Development that does not require a site plan under LDC Sections 25-5;
2. Interior remodeling of a building.

C. New Construction, Redevelopment, and Major Rehabilitation

Except as provided in Subsection B, if a particular standard of this Document is applicable to development on a particular site, then that standard shall be applicable to the following activity:

1. New construction; and
2. Redevelopment or major rehabilitation (for redevelopment or major rehabilitation, the Director shall determine the portion of the site to which the standard applies, based on the extent of change proposed). For the purposes of the NBG Regulating Plan, it shall include any project that will, combined with all other redevelopment or rehabilitation of the site that has occurred since the effective date of the NBG Regulating Plan:
 - a. For sites of less than one acre, generate 1,000 vehicle trips or more per day above the estimated trip level on the effective date of the NBG Regulating Plan, and for sites of one acre or more, generate 2,000 vehicle trips or more per day above the estimated trip level on the effective date of the NBG Regulating Plan; or
 - b. Increase the site's impervious cover by 25 percent or more beyond the amount of impervious cover existing on the effective date of the NBG Regulating Plan.

1.2.4. Exemption from Subchapter E of the Land Development Code

For the area within the NBG Zoning District (Figure 1-1), this Document supersedes all standards and regulations in Chapter 25-2 Subchapter E: Design Standards and Mixed Use.

1.2.5. Conflicting Provisions

If the provisions of this Document are inconsistent with provisions found in other adopted codes, ordinances, or regulations of the City of Austin, this Document shall control unless otherwise expressly provided.

1.2.6. Accessibility

Accessibility, integration and inclusion of people with disabilities are fundamental components of our vision for the future of the City of Austin. This Document shall not supersede any applicable state or federal accessibility statutes and regulations. Administration and enforcement of this Document shall comply with all such statutes and regulations.

1.2.7. State and Federal Facilities

Compliance with the standards of this Document at all state and federal facilities is strongly encouraged so that the Master Plan Vision for the North Burnet/Gateway planning area is supported and reinforced.

1.3. REVIEW PROCESS

1.3.1. Standards Applicable During Subdivision Plan Review

The standards contained in the following sections of this Document shall be applied in the normal review process for subdivision plans as set forth in Chapter 25-4 of the Austin Code:

- A.** Article 2, Land Use Standards;
- B.** Section 3.5, Connectivity and Circulation;
- C.** Section 4.2, General Development Standards;
- D.** Section 4.9, Private Common Open Space and Pedestrian Amenities; and
- E.** Section 4.10, Public Open Space and Trails;

In addition to meeting the review criteria specified in Chapter 25-4 of the LDC, each subdivision plan application shall evidence compliance with the standards listed above.

1.3.2. Standards Applicable During Site Plan Review

The standards contained in the following sections of this Document shall be applied in the normal review process for site plans as set forth in Chapter 25-5 of the LDC:

- A.** Article 2, Land Use Standards;
- B.** Article 3, Circulation, Connectivity, and Streetscape;
- C.** Article 4, Site Development Standards;
- D.** Section 5.3, Building Entrances;
- E.** Section 5.5, Shade and Shelter; and
- F.** Article 6, Development Bonus.

In addition to meeting the review criteria specified in Chapter 25-5, each site plan application shall evidence compliance with the standards listed above.

1.3.3. Standards Applicable During Building Permit Review

The standards contained in the following sections of this Document shall be applied in the normal review process for building permits as set forth in Chapter 25-11 of the Austin Code:

- A. Section 4.6, Exterior Lighting (for fixtures affixed to buildings);
- B. Section 4.7, Screening of Equipment and Utilities (for fixtures affixed to buildings);
- C. Section 4.8, Sign Regulations; and
- D. Article 5, Building Design Standards.

In addition to meeting the review criteria specified in Chapter 25-11, each building permit application shall evidence compliance with the standards listed above.

1.4. ALTERNATIVE EQUIVALENT COMPLIANCE

1.4.1. Purpose and Scope

To encourage creative and original design, and to accommodate projects where the particular site conditions or the proposed use prevent strict compliance with this Document, alternative equivalent compliance allows development to occur in a manner that meets the intent of this Document, yet through an alternative design that does not strictly adhere to the Document's standards. The procedure is intended to be used for relief from a specific design standard or standards, and it is not a general waiver of regulations.

1.4.2. Applicability

The alternative equivalent compliance procedure shall be available only for the following sections of this Document:

- A. Section 3.3 - Sidewalk Standards;
- B. Section 3.4 - On-Street Parking;
- C. Section 3.5 Connectivity and Circulation;
- D. Section 4.3 - Relationship of Buildings to Streets and Walkways;
- E. Section 4.4 - Off-Street Vehicular and Bicycle Parking;
- F. Section 4.5 - Drive-through Facility Standards;
- G. Section 4.6 - Exterior Lighting;
- H. Section 4.7 - Screening of Equipment and Utilities;
- I. Section 4.8 - Sign Regulations;

J. Section 4.9 - Private Common Open Space and Pedestrian Amenities; and

K. Article 5 - Building Design Standards.

1.4.3. Procedure

The applicant may select at his or her discretion whether to seek an informal recommendation or a formal approval on a proposal for alternative compliance.

A. Option One: Informal Recommendation

1. Pre-Application Conference Required

If an applicant desires only an informal response and recommendation as to a proposal for alternative compliance, he or she shall request and attend a pre-application conference prior to submitting the site plan and/or building permit application for the development. At the conference, the applicant shall provide a written summary of the project and the proposed alternative compliance, and the Director, in coordination with the Urban Design Division of the Neighborhood Planning and Zoning Department, shall offer an informal, non-binding response and recommendation regarding the appropriateness of the proposed alternative. Based on that response, the applicant may prepare a site plan and/or building permit application that proposes alternative compliance, and such application shall include sufficient explanation and justification, in both written and graphic form, for the alternative compliance requested.

2. Decision-Making Responsibility

Final approval of any alternative compliance proposed under this section shall be the responsibility of the decision-making body responsible for deciding upon the application. The final decision-making body for site plans is the either the Director or the appropriate Land Use Commission, as specified in Chapter 25-5, and the building official for building permits.

B. Option Two: Formal Decision

1. Pre-Application Conference

If an applicant desires formal approval of a proposal for alternative compliance, he or she shall request and attend a pre-application conference prior to submitting the site plan and/or building permit application for the development.

2. Alternative Compliance Concept Plan Required

At least ten days prior to the pre-application conference, the applicant shall submit an alternative compliance concept plan application to the Director, which shall include:

- a. A written description of and justification for the proposed alternative method of compliance, specifically addressing the criteria in Subsection 1.4.4; and
- b. A concept plan that describes and illustrates, in written and graphic format, the intended locations and quantities of proposed buildings on the site, the layout of proposed vehicle and pedestrian access and circulation systems, and areas designated to meet requirements for open space, parking, on-site amenities,

utilities, and landscape. The concept plan shall describe the site's topography and shall provide a general description of environmental characteristics to assist in determining compliance with this Document. If alternative compliance is requested from the standards of Article 5 Building Design Standards, the concept plan also shall include descriptions and illustrations of the proposed building design elements that would not comply with the standards of this Document.

3. Decision by Director

The Director, in coordination with the Urban Design Division in the Neighborhood Planning and Zoning Department, shall review the concept plan for compliance with the criteria in Subsection 1.4.4 and shall approve, approve with conditions, or deny the concept plan in writing.

4. Expiration of Alternative Compliance Concept Plans

- a. An approved alternative compliance concept plan shall expire if three years pass following its approval and no building permit that implements the concept plan has been issued.
- b. One, one-year extension may be issued by the Director provided that a written request has been received prior to the expiration of the concept plan, and the Director has determined that no major changes in the City's development standards, or changes in the development pattern of the surrounding properties, have occurred.

5. Effect of Approval

Written approval of an alternative compliance concept plan does not authorize any development activity, but rather authorizes the applicant to prepare a site plan and/or building permit application that incorporates the approved alternative compliance, and authorizes the decision-making body (either the Land Use Commission or the Director for site plans, and the building official for building permits) to review the site plan and/or building permit application for compliance with the alternative compliance concept plan, in addition to all other applicable requirements. The site plan and/or building permit application shall include a copy of the approved alternative compliance concept plan.

6. Amendments to Alternative Compliance Concept Plans

- a. Minor amendments to any approved alternative compliance concept plan may be approved, approved with conditions, or denied administratively by the Director. For purposes of this provision, minor amendments are those that do not result in:
 - (i) An increase of 10 percent or more in the amount of square footage of a land use or structure;
 - (ii) A change in the types of uses in the project;
 - (iii) An increase or decrease of 20 percent or more in the number of dwelling units in the project; or

(iv) A change that would bring the project out of compliance with any requirement or regulation set forth in the City Code outside this Document unless a variance to or waiver from such requirement or regulation is obtained.

- b. Amendments that are not determined by the Director to be minor amendments under Subsection B.6.a. above shall be deemed major amendments. The applicant may seek approval of a major amendment by re-submitting the original approved plan along with the proposed amendment to the Director for review in the same manner prescribed in Subsection B.2. above.
- c. If any site plan and/or building permit application includes a major amendment from the terms of the approved concept plan that has not been approved by the Director, the concept plan shall be void and the application shall be reviewed for compliance with the standards of this Document and all other applicable requirements.

1.4.4. Criteria

Alternative equivalent compliance may be approved only if the applicant demonstrates that the following criteria have been met:

- A. The proposed alternative will perform as well or better than the standard or standards being modified and achieves the intent of the subject Article of this Document from which the alternative is sought; or
- B. The proposed alternative achieves the intent of the subject Article of this Document from which the alternative is sought to the maximum extent practicable and is necessary because:
 - 1. Physical characteristics unique to the subject site (such as, but not limited to, slopes, size, shape, and vegetation) make strict compliance with the subject standard impracticable or unreasonable; or
 - 2. Physical design characteristics unique to the proposed use or type of use make strict compliance with the subject standard impracticable or unreasonable.
- C. In the case of multiple alternative equivalent compliance or variance requests, the Director shall consider the cumulative affect they would have on meeting the intent statements in Sections 1.1, 2.1, 3.1, 4.1, 5.1 or 6.1.

1.4.5. Effect of Approval

Alternative compliance shall apply only to the specific site for which it is requested and shall not establish a precedent for approval of other requests.

1.5. NONCONFORMING USES AND NONCOMPLYING STRUCTURES

All properties within the NBG Zoning District shall remain subject to Article 7 Nonconforming Uses and Article 8 Noncomplying Structures in the City LDC Sections 25-2-941 through 25-2-964. With reference to Article 7, all uses are governed by Group "D" regulations prescribed by Section 25-2-947.

1.6. TEXT AND GRAPHICS WITHIN THIS DOCUMENT

This Document was created with numerous images to enhance understanding and comprehension by providing visual aids to some of the standards. However, in the event of a conflict or inconsistency between the text of this Document and any heading, caption, figure, illustration, table, or map, the text shall control.

ARTICLE 2: LAND USE STANDARDS

2.1. INTENT

The NBG Subdistricts are used as a tool to create lively, walkable, healthy, livable areas where people are able to reduce vehicle usage without sacrificing access to neighborhood amenities. To accomplish this, the intent of Article 2 is to:

- 2.1.1.** Allow for creation of a dense and vibrant “town center” with an urban form and uses less reliant on the automobile.
- 2.1.2.** Provide for and encourage development and redevelopment that achieves a balance of jobs, housing, retail, open space and community facilities within close proximity to each other and to transit. The essence of a mixed-use area is that it allows for opportunities to live, work and play within the same area.
- 2.1.3.** Enable opportunities for transit-oriented development around the rail transit stations.
- 2.1.4.** Locate the highest level of activity and mix of uses in the TOD Subdistrict, around transit and along major streets thereby promoting greater transit ridership.
- 2.1.5.** Enable redevelopment and adaptive reuse while accommodating existing uses.
- 2.1.6.** Allow for significant higher density residential uses to accommodate some of the region’s expected population growth.
- 2.1.7.** Provide for a variety of housing options to be developed in close proximity to potential jobsites as well as public transit so that residents may reduce their dependency on personal vehicles and save on transportation costs.

2.2. APPLICABILITY

For the purpose of applying the standards in this Article, refer to Article 1 for descriptions and maps of NBG Subdistricts.

2.3. NORTH BURNET/GATEWAY SUBDISTRICTS

2.3.1. Applicability

Standard	Applies if the NBG Subdistrict is:						Applies if the Adjacent Street is:				Applies to the following:
	TOD	CMU	NMU	NR	WMU	CI	CTC	PPC	UR	HWY	
Section 2.3 North Burnet/Gateway Subdistricts	●	●	●	●	●	●	●	●	●	●	All development.

2.3.2. NBG Subdistricts General

- A. The locations of the NBG Subdistricts in the NBG Zoning District are depicted in Figure 1-2.
- B. The NBG Subdistricts vary in terms of use, development intensity, and level of urban character.
- C. All NBG Subdistricts permit combinations of uses within a building or a site.

2.3.3. Land Use Summary Table

The Land Use Summary Table in Figure 2-1 establishes the permitted, conditional, and prohibited uses according to NBG Subdistrict and any additional regulations that apply to a particular use in a specific subdistrict.

2.3.4. Subdistrict Typologies

A. Transit-Oriented Development (TOD) Subdistrict

TOD is the most intensively developed land use zone and will typically be expressed as high density residential or office over active ground floor uses, such as retail. This land use designation is concentrated near the Capital Metro commuter rail station.

The North Burnet/Gateway Master Plan also anticipates a future TOD zone near a potential future Austin-San Antonio Intermunicipal Commuter Rail (ASA Rail) station, which is in the planning stage. At such time as the ASA Rail, or any other rail transit, is funded and exact station locations in the NBG area have been determined, consideration will be given to designating another TOD Subdistrict in the NBG Zoning District. City Council would need to approve any Subdistrict change and normal public hearing and notification procedures would apply.

B. Commercial Mixed Use (CMU) Subdistrict

Commercial Mixed Use is a high density mixed use subdistrict in the NBG Zoning District. It allows for development such as high density residential, high rise office and entertainment complexes, destination retail and large scale civic uses.

C. Neighborhood Mixed Use (NMU) Subdistrict

The Neighborhood Mixed Use Subdistrict provides for mid-rise residential with neighborhood-oriented retail and smaller employers.

D. Neighborhood Residential (NR) Subdistrict

Neighborhood Residential is the primary residential zone outside of the higher density mixed-use Subdistricts and provides for a height transition to the existing neighborhoods outside of the NBG Zoning District. The Neighborhood Residential Subdistrict provides for a wide range of housing types, including townhomes, rowhouses, and lower density apartment and condominium development. Neighborhood retail and civic uses are also allowed.

E. Warehouse Mixed Use (WMU) Subdistrict

Warehouse Mixed Use is a transition subdistrict used to accommodate existing warehouse uses and enable future development to include residential and local retail uses.

F. Commercial Industrial (CI) Subdistrict

The Commercial Industrial Subdistrict accommodates basic industry, light manufacturing and warehousing uses.

2.3.5. Drive-Through Facilities

- A.** A use with a drive-through facility is prohibited in the TOD and the Neighborhood Residential (NR) Subdistricts.
- B.** A drive-through facility serving a restaurant use is prohibited in the TOD, Neighborhood Mixed Use (NMU) and Neighborhood Residential (NR) Subdistricts.

Figure 2-1: NBG ZONING DISTRICT LAND USE TABLE							
P = Permitted Use C = Conditional Use -- = Prohibited							
RESIDENTIAL USES	Transit-Oriented Development (TOD)	Commercial Mixed Use (CMU)	Neighborhood Mixed Use (NMU)	Neighborhood Residential (NR)	Warehouse Mixed Use (WMU)	Commercial Industrial (CI)	ADDITIONAL REQUIREMENTS
Bed & Breakfast (Group 1)	P	P	P	P	P	-	
Bed & Breakfast (Group 2)	P	P	P	P	P	-	
Condominium Residential	P	P	P	P	P	-	
Duplex Residential	-	-	-	P	-	-	
Group Residential	P	P	P	P	P	-	
Mobile Home Residential	-	-	-	-	-	-	
Multifamily Residential	P	P	P	P	P	-	
Retirement Housing (Small Site)	P	P	P	P	P	-	
Retirement Housing (Large Site)	P	P	P	P	P	-	
Single-Family Attached Residential	-	-	-	P	-	-	
Single-Family Residential	-	-	-	-	-	-	
Townhouse Residential	-	-	P	P	-	-	
Two-Family Residential	-	-	-	P	-	-	
COMMERCIAL USES	TOD	CMU	NMU	NR	WMU	CI	ADDITIONAL REQUIREMENTS
Administrative and Business Offices	P	P	P	-	P	P	Use is limited to 5,000 gross sq. ft. in the NR Subdistrict
Agricultural Sales and Services	-	-	-	-	-	P	
Art Gallery	P	P	P	P	P	P	

Article 2: Land Use Standards
Figure 2-1: NBG Zoning District Land Use Table

P = Permitted Use C = Conditional Use -- = Prohibited							ADDITIONAL REQUIREMENTS
COMMERCIAL USES (Cont.)	TOD	CMU	NMU	NR	WMU	CI	
Art Workshop	P	P	P	P	P	P	
Automotive Rentals	P	P	P	--	P	P	A maximum of 10 fleet cars is allowed in the TOD and NMU subdistricts and a maximum of 20 fleet cars is allowed in the CMU, WMU, and CI subdistricts
Automotive Repair Services	--	P	--	--	P	P	
Automotive Sales	--	P	--	--	P	P	A maximum of 20 vehicles for sale or rental is allowed on the site. An existing automotive sales use in place prior to Nov. 1, 2007, located in a subdistrict in which the use is permitted, is not considered a non-conforming use and may exceed the 20-vehicle maximum established in this Document.
Automotive Washing (of any type)	--	--	--	--	P	P	
Bail Bond Services	--	--	--	--	--	--	
Building Maintenance Services	--	P	--	--	P	P	In CMU subdistrict use must be in an enclosed structure.
Business or Trade School	P	P	P	--	P	P	
Business Support Services	P	P	P	--	P	P	
Campground	--	--	--	--	--	--	
Carriage Stable	--	--	--	--	--	P	
Cocktail Lounge	C	C	C	--	C	--	
Commercial Blood Plasma Center	--	P	--	--	P	P	Permitted subject to LDC Section 25-2-803
Commercial Off-Street Parking	P	P	P	--	P	P	A commercial off-street parking use may not exceed one acre in site size. It may not be located within 100 feet of a corner. Not more than one commercial off-street parking use site may be located within a single block. The use must meet all applicable design requirements in this Document.
Communications Services	P	P	P	--	P	P	
Construction Sales and Services	--	--	--	--	P	P	
Consumer Convenience Services	P	P	P	P	P	P	
Consumer Repair Services	P	P	P	P	P	P	
Convenience Storage	--	P	--	--	P	P	In the CMU Subdistrict, the use must be enclosed in a single building on the site with no direct entry to individual storage units from outside.

Article 2: Land Use Standards
Figure 2-1: NBG Zoning District Land Use Table

P = Permitted Use C = Conditional Use -- = Prohibited							
COMMERCIAL USES (cont.)	TOD	CMU	NMU	NR	WMU	U	ADDITIONAL REQUIREMENTS
Drop-Off Recycling Collection Facility	-	-	-	-	-	P	
Electronic Prototype Assembly	-	P	-	-	P	P	
Electronic Testing	-	P	-	-	P	P	
Equipment Repair Services	-	-	-	-	P	P	
Equipment Sales	-	-	-	-	-	P	
Exterminating Services	-	-	-	-	-	P	
Financial Services	P	P	P	P	P	P	Use is limited to 5,000 sq. ft. in the NR Subdistrict.
Food Preparation	P	P	P	-	P	P	
Food Sales	P	P	P	P	P	-	Use is limited to 5,000 sq. ft. in the NR Subdistrict.
Funeral Services	-	P	-	-	P	P	
General Retail Sales (Convenience)	P	P	P	P	P	P	Use is limited to 5,000 sq. ft. in the NR Subdistrict.
General Retail Sales (General)	P	P	P	-	P	P	Use is limited to 50,000 sq. ft. gross floor area in TOD and NMU Subdistricts.
Hotel-Motel	P	P	-	-	P	-	
Indoor Entertainment	-	P	-	-	P	P	
Indoor Sports and Recreation	-	P	-	-	P	P	
Kennels	-	P	-	-	P	P	
Laundry Services	-	-	-	-	P	P	
Liquor Sales	P	P	P	-	P	-	
Marina	-	-	-	-	-	-	
Medical Offices -- exceeding 5,000 sq. ft. gross floor area	P	P	-	-	P	P	
Medical Offices -- not exceeding 5,000 sq. ft. gross floor area	P	P	P	C	P	P	
Monument Retail Sales	-	-	-	-	-	P	
Off-Site Accessory Parking	P	P	P	-	P	P	An off-street accessory parking use may not exceed one acre in site size. It may not be located within 100 feet of a corner. Not more than one off-site accessory parking use site may be located within a single block. The use must meet all applicable design requirements in this Document.

Article 2: Land Use Standards
Figure 2-1: NBG Zoning District Land Use Table

P = Permitted Use C = Conditional Use -- = Prohibited							
COMMERCIAL USES (cont.)	TOD	CMU	NMU	NR	WMU	CI	ADDITIONAL REQUIREMENTS
Outdoor Entertainment	--	--	--	--	--	--	
Outdoor Sports and Recreation	--	P	--	--	--	--	
Pawn Shop Services	--	--	--	--	P	P	
Personal Improvement Services	P	P	P	P	P	--	Use is limited to 5,000 gross sq. ft. in the NR Subdistrict.
Personal Services	P	P	P	P	P	--	
Pet Services	P	P	P	P	P	P	
Plant Nursery	--	P	C	--	P	P	
Printing and Publishing	--	P	C	--	P	P	
Professional Office	P	P	P	P	P	P	Use is limited to 5,000 gross sq. ft. in the NR Subdistrict.
Recreational Equipment Maintenance & Storage	--	--	--	--	--	P	
Recreational Equipment Sales	--	--	--	--	--	P	
Research Assembly Services	--	--	--	--	--	--	
Research Services	--	P	C	--	P	P	
Research Testing Services	--	--	--	--	--	--	
Research Warehousing Services	--	--	--	--	--	--	
Restaurant (General)	P	P	P	--	P	P	
Restaurant (Limited)	P	P	P	P	P	P	Use is limited to 5,000 gross sq. ft. in NR Subdistrict.
Scrap and Salvage	--	--	--	--	--	C	
Service Station	--	P	P	P	P	P	A service station use may have the capability of fueling not more than eight vehicles at one time in the CMU, NMU, and NR subdistricts.
Software Development	P	P	P	P	P	P	Use is limited to 5,000 sq. ft. in the NR Subdistrict.
Special Use Historic	C	C	C	C	C	C	Use must comply with the requirements of LDC Section 25-2-807
Stables	--	--	--	--	--	--	
Theater	P	P	P	--	P	P	
Vehicle Storage	--	--	--	--	--	P	
Veterinary Services	P	P	P	--	P	P	A veterinary services use must be conducted entirely within an enclosed structure. Veterinary hospitals for livestock and large animals not permitted.

Article 2: Land Use Standards
Figure 2-1: NBG Zoning District Land Use Table

P = Permitted Use C = Conditional Use -- = Prohibited							
CIVIC USES	TOD	CMU	NMU	NR	WMU	CI	ADDITIONAL REGULATIONS
Administrative Services	P	P	P	—	P	P	Incidental maintenance of administrative services vehicles prohibited on site in TOD, CMU, NMU, and NR subdistricts.
Aviation Facilities	—	—	—	—	—	—	
Camp	—	—	—	—	—	—	
Cemetery	—	—	—	—	—	—	
Club or Lodge	—	C	—	—	C	C	
College and University Facilities	P	P	P	—	P	P	An existing use in place prior to Nov. 1, 2007 is not considered a non-conforming use.
Communication Service Facilities	P	P	P	P	P	P	
Community Events	—	—	—	—	—	—	
Community Recreation (Private)	P	P	P	P	P	C	
Community Recreation (Public)	P	P	P	P	P	C	
Congregate Living	P	P	P	P	P	—	
Convalescent Services	—	P	P	P	P	—	
Convention Center	—	—	—	—	—	—	
Counseling Services	P	P	P	C	P	—	
Cultural Services	P	P	P	C	P	—	
Day Care Services (Commercial)	P	P	P	P	P	—	
Day Care Services (General)	P	P	P	P	P	—	
Day Care Services (Limited)	P	P	P	P	P	—	
Detention Facilities	—	—	—	—	—	—	
Employee Recreation	—	—	—	—	P	P	
Family Home	P	P	P	P	P	—	
Group Home, Class I (Limited)	P	P	P	P	P	C	
Group Home, Class I (General)	P	P	P	C	P	C	
Group Home, Class II	C	P	C	C	P	C	
Guidance Services	P	P	P	—	P	—	
Hospital Services (Limited)	P	P	P	C	P	—	

Article 2: Land Use Standards
Figure 2-1: NBG Zoning District Land Use Table

P = Permitted Use C = Conditional Use -- = Prohibited							
CIVIC USES (cont.)	TOD	CMU	NMU	NR	WMU	CI	ADDITIONAL REGULATIONS
Hospital Services (General)	–	C	C	–	C	--	
Local Utility Services	P	P	P	P	P	P	
Maintenance and Service Facilities	--	--	–	–	C	P	
Major Utility Facilities	–	–	–	--	–	C	
Military Installations	–	–	–	--	--	–	
Park and Recreation Services (General)	P	P	P	P	P	–	
Park and Recreation Services (Special)	–	–	–	–	–	--	
Postal Facilities	P	P	P	P	P	P	Use is limited to 5,000 gross sq. ft. in all Subdistricts except CI.
Private Primary Educational Facilities	P	P	P	P	P	–	
Private Secondary Educational Facilities	P	P	P	P	P	–	
Public Primary Educational Facilities	P	P	P	P	P	–	
Public Secondary Educational Facilities	P	P	P	P	P	–	
Qualified Community Garden	P	P	P	P	P	–	Subject to LDC Section 8-4
Railroad Facilities	–	–	–	–	--	P	
Religious Assembly	P	P	P	P	P	P	
Residential Treatment	C	P	C	C	P	–	
Safety Services	P	P	P	C	P	P	
Telecommunication tower	P	P	P	P	P	P	Subject to LDC Section 25-2-839 (13-2-235 and 13-2-273). A telecommunications tower must be located on top of a building or be an architectural component of the building. Free standing towers are prohibited in TOD, CMU, NMU, and NR subdistricts
Transitional Housing	–	C	--	–	C	–	
Transportation Terminal	P	P	P	C	P	P	All private transportation terminals are conditional in all NBG Subdistricts.

Article 2: Land Use Standards
Figure 2-1: NBG Zoning District Land Use Table

P = Permitted Use C = Conditional Use -- = Prohibited							
INDUSTRIAL USES	TOD	CMU	NMU	NR	WMU	CI	ADDITIONAL REQUIREMENTS
Basic Industry	-	-	-	-	-	P	
Custom Manufacturing	P	P	P	C	P	P	
General Warehousing and Distribution	--	-	-	-	-	P	
Light Manufacturing	-	-	-	-	P	P	In the WMU Subdistrict, use may not produce noise, vibration, smoke, dust, odor, heat, glare, fumes, electrical interference, or waste run-off outside an enclosed structure.
Limited Warehousing and Distribution	-	-	-	-	P	P	In the WMU Subdistrict, use may not produce noise, vibration, smoke, dust, odor, heat, glare, fumes, electrical interference, or waste run-off outside an enclosed structure.
Recycling Center	-	-	-	-	-	P	
Resource Extraction	-	-	-	-	-	-	
Stockyards	--	-	-	-	-	-	
AGRICULTURAL USES	TOD	CMU	NMU	NR	WMU	CI	ADDITIONAL REQUIREMENTS
Animal Production	-	-	-	-	-	-	
Crop Production	-	-	-	-	-	-	
Horticulture	-	-	-	-	-	-	
Support Housing	-	-	-	-	-	-	
Urban Farm	-	C	C	-	C	-	

ARTICLE 3: CIRCULATION, CONNECTIVITY AND STREETScape

The applicability of standards in Article 3 is based on the NBG Subdistrict in which a property is located and the Roadway Type adjacent to it. Refer to Article 1 for descriptions and maps of NBG Subdistricts and NBG Roadway Types.

3.1. INTENT

The standards of Article 3 are intended to:

- 3.1.1.** Increase mobility both within the North Burnet/Gateway area and to surrounding areas by improving connectivity and accommodations for pedestrians, cyclists and transit.
- 3.1.2.** Encourage a greater percentage of travel accomplished by walking, biking, and transit.
- 3.1.3.** Provide a built environment, streetscape and street design that are safe and enjoyable for pedestrians and cyclists.
- 3.1.4.** Ensure that site design promotes efficient pedestrian and vehicle circulation patterns;
- 3.1.5.** Ensure the creation of a high-quality street and sidewalk environment that is supportive of pedestrian and transit mobility and that is appropriate to the roadway context;
- 3.1.6.** Ensure that trees, sidewalks, and buildings – three of the major elements that make up a streetscape – are arranged in a manner that supports the creation of a safe, human-scaled, and well-defined roadway environment;
- 3.1.7.** Ensure that there are multiple travel route options for all transportation modes in and around the NBG Zoning District;
- 3.1.8.** Ensure that vehicular parking is accommodated in a manner that enriches and supports, rather than diminishes, the roadside pedestrian environment, and that does not create a barrier between the roadside environment and the roadside buildings; and
- 3.1.9.** Ensure that sites are developed in a manner that supports and encourages connectivity for all modes of travel and that new and existing development, pedestrian and bicycle paths, and open spaces complement and link to one another.

3.2. APPLICABILITY

For the purpose of applying the standards in this Article, refer to Article 1 for descriptions and maps of NBG Subdistricts and NBG Roadway Types.

3.3. SIDEWALK STANDARDS

3.3.1. General Applicability

In order to create an environment that is supportive of pedestrian and transit mobility, public sidewalks shall be provided on both sides of all streets in the NBG Zoning District. The requirements of this section must be met on all adjacent roadway types.

3.3.2. Sidewalk Standards for All Roadway Types

A. Applicability

Standard	Applies if the NBG Subdistrict is:						Applies if the Adjacent Street is:				Applies to the following:
	TOD	CMU	NMU	NR	WMU	CI	CTC	PPC	UR	HWY	
Subsection 3.3.2 Sidewalk Standards for All Roadway Types	●	●	●	●	●	●	●	●	●	●	-All development -Requirement must be met on all adjacent roadway types

B. Sidewalks

Public sidewalks shall be located along both sides of all streets. No sidewalk shall be less than the width prescribed in Figure 3-3 for each roadway type. The minimum sidewalk width requirement shall apply regardless of the available right-of-way. Where required, the sidewalk shall extend onto private property to fulfill the minimum requirement, with a sidewalk easement provided. Sidewalks shall consist of two zones: a street tree/furniture zone located adjacent to the curb, and a clear zone (see Figures 3-4 and 3-5). The following standards shall apply:

1. Street Tree/Furniture Zone

- The street tree/furniture zone shall have a minimum width as prescribed in Figure 3-3 for each roadway type (from face of curb) and shall be continuous and located adjacent to the curb.
- If required based on roadway type, the zone shall be planted with street trees at an average spacing not greater than 30 feet on center. The

Watershed Protection and Development Review Dept. maintains a list of acceptable street trees for purposes of this section.

- c. For properties within the TOD Subdistrict, the zone shall be planted with street trees at an average spacing not greater than 30 feet on center on all roadway types.
- d. While not required, the zone is intended for the placement of street furniture including seating, street lights, waste receptacles, fire hydrants, traffic signs, newspaper vending boxes, bus shelters, bicycle racks, public utility equipment such as electric transformers and water meters, and similar elements in a manner that does not obstruct pedestrian access or motorist visibility (see Figure 3-1).



Figure 3-1: Street tree/furniture zone

2. Clear Zone

- a. The clear zone shall be a minimum width as prescribed in Figure 3-3 for each roadway type, shall be hardscaped, shall be located adjacent to the street tree/furniture zone, and shall comply with ADA and Texas Accessibility Standards.
- b. The clear zone shall be unobstructed by any permanent or nonpermanent element for the required minimum width and a minimum height of eight feet (see Figure 3-2).
- c. Along NBG Highways, the clear zone shall be located a minimum of 2 feet from the curb or ROW in compliance with TCM Section 4.2.1.



Figure 3-2: Clear zone example

Figure 3-3: SIDEWALK STANDARDS (applicability based on Roadway Type)

Standards	Applies if the Adjacent Street is:				Additional Requirements
	CTC	PPC	UR	HWY	
Min. Total Sidewalk Width (Feet)	15'	12'	12'	8'	
Min. Street Tree Zone Width (Feet)	8'	7'	7'	Optional	
Minimum Clear Zone Width	7'	5'	5'	8'	Along NBG Highways, sidewalks shall be located a minimum of 2 feet from the curb in compliance with TCM Section 4.2.1.
Street Trees Required	●	●			Street trees shall be planted for all properties in the TOD Subdistrict.

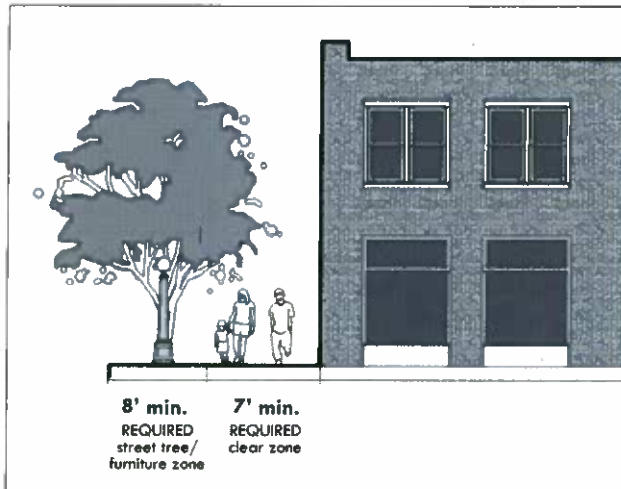


Figure 3-4: NBG Core Transit Corridor sidewalk requirements.

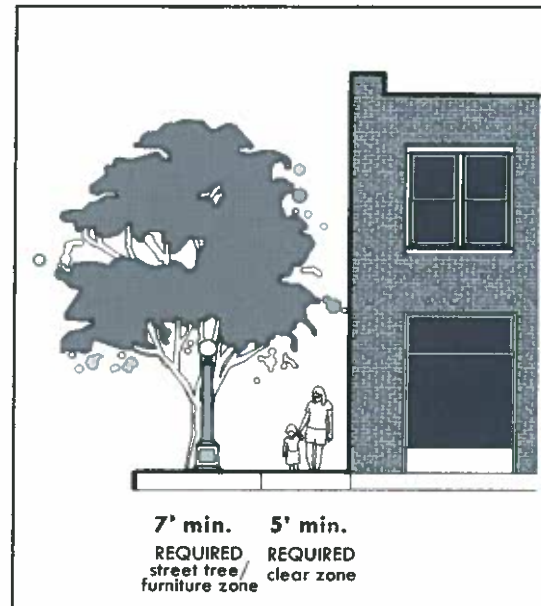


Figure 3-5: NBG Pedestrian Priority Collector and NBG Urban Roadway sidewalk width requirements.

Street trees with an average spacing not greater than 30 feet on center are required along NBG Core Transit Corridors, NBG Pedestrian Priority Collectors, and all roadway types in the TOD Subdistrict.

3. Accommodating Bicycle Facilities

- a. If the adjacent street is identified as an NBG Core Transit Corridor or NBG Pedestrian Priority Collector, sidewalks may only encroach in the street right-of-way (ROW) to the extent that enough ROW remains to be able to accommodate a 6-foot wide bicycle off-street one-way bikeway and 2-foot buffer zone (total of 8 feet) on both sides of the roadway in the future. Alternative Equivalent Compliance may be sought for relief from this standard if bicycle lanes are provided in the street or if bicycle accommodations are provided as part of the sidewalk streetscape (one-way or two-way shared use facility); subject to review and approval by the Directors of the Public Works and Watershed Protection and Development Review Departments.
- b. Along NBG Highways, a minimum 8 foot clear zone is required in order to provide a shared

use path that could be used for both pedestrian and bicycle travel.

4. Utilities

- a. All utility lines shall be underground from the building to the property line. Utility lines within the right-of-way shall be placed underground or relocated to the rear of the site to the maximum extent practicable as determined by the Director (see Figure 3-6).
- b. Where existing electric utilities remain overhead and are located behind the curb, an overhead utility zone shall be provided so that no portion of the building is located within a 10-foot radius of the energized conductor. In addition, street trees shall be set back from an energized conductor by a minimum of ten feet as measured from the centerline of the tree. Options for street tree planting and sidewalk placement in combination with overhead utilities are illustrated in Figures 3-7 and 3-8.
- c. Utility compatible trees may be used so that the trees can be located beneath, rather than offset from, the overhead electric utilities if the Director determines that one of the following conditions is met:
 - (i) If the depth of a lot is 120 feet or less and electric utilities remain overhead and are located behind the curb; or
 - (ii) If, in order to meet all of the requirements of this section, the building façade would be required to set back 30 feet or more beyond the curb face (Note: if the requirements of this section can be met within existing right-of-way, utility compatible trees may not be used).

3.3.3. Alternative Requirements for Shallow Lots on NBG Core Transit Corridors

On lots located on NBG Core Transit Corridors, with a depth of 150 feet or less and where insufficient right-of-way exists to meet sidewalk requirements, the total sidewalk width may be reduced to 12 feet, consisting of a seven-foot minimum street tree/furniture zone and a five-foot clear zone.

Article 3: Circulation, Connectivity and Streetscape
 Section 3.3. Sidewalk Standards
 Subsection 3.3.3. Alternative Requirements for Shallow Lots on NBG Core Transit Corridors

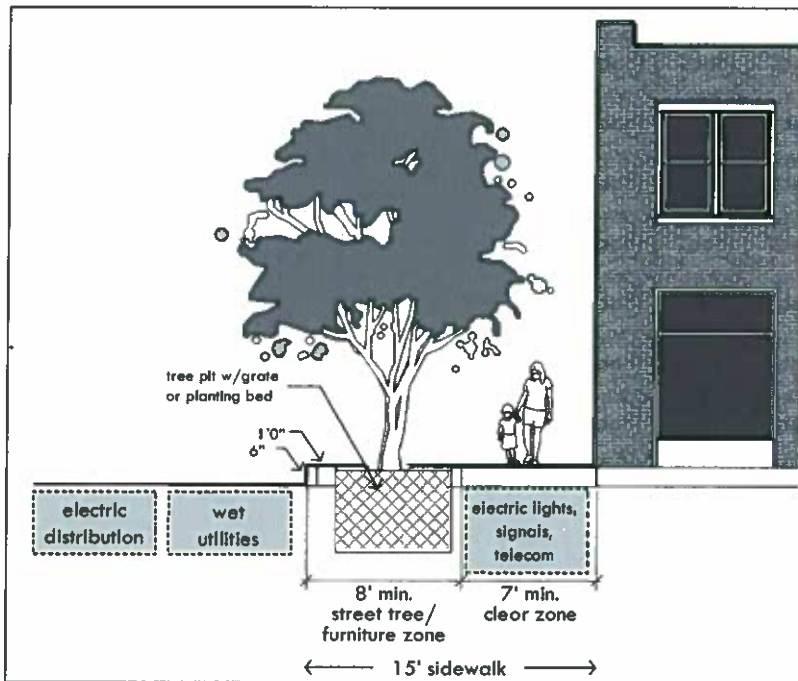


Figure 3-6: NBG Core Transit Corridor with underground utilities.

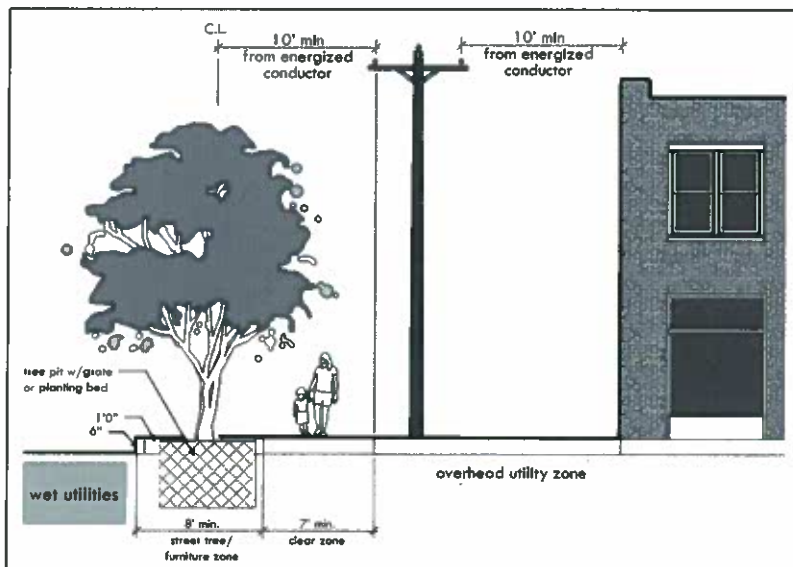


Figure 3-7: NBG Core Transit Corridor with overhead utility zone.

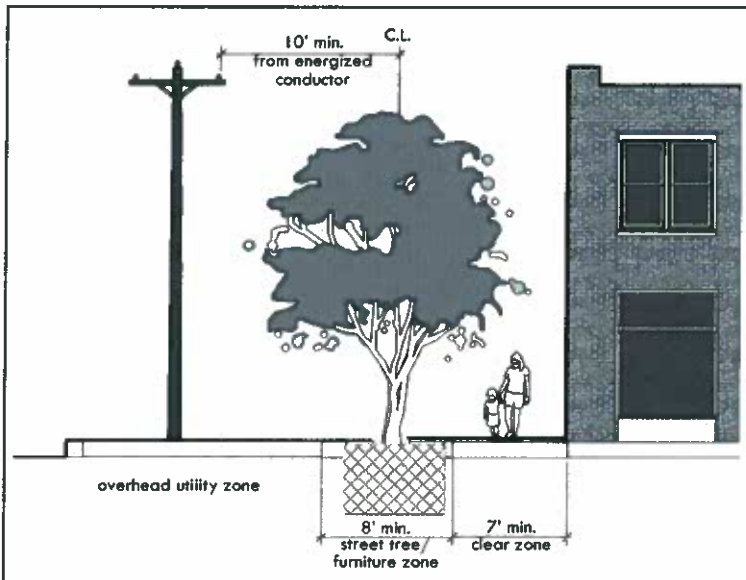


Figure 3-8: NBG Core Transit corridor with overhead utility zone at curb

3.3.4. Sidewalk Exemption for Edge Streets

If the Director determines that a street(s) is not required by the Collector Street Plan and is aligned along an interior and/or rear property line and a street connection to adjacent property is not feasible, the sidewalk standards in this section are not required along the outside edge of the street (Figure 3-9).

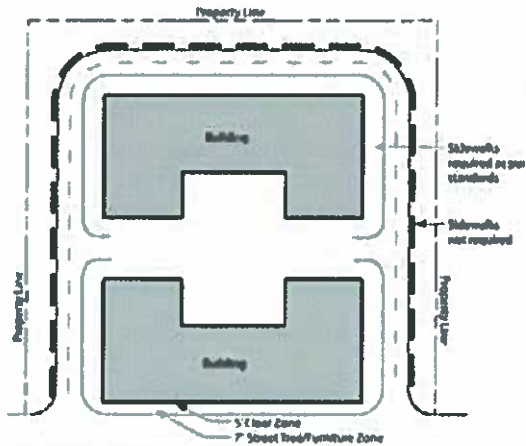


Figure 3-9: Sidewalk exemption on edge streets

3.4. ON-STREET PARKING

3.4.1. Applicability

Standard	Applies if the NBG Subdistrict is:						Applies if the Adjacent Street is:				Applies to the following:
	TOD	CMU	NMU	NR	WMU	CI	CTC	PPC	UR	HWY	
Section 3.4 On-street parking	●	●	●	●	●	●	●	●	●		Optional for all development.

3.4.2. Purpose

On-street parking is encouraged within the NBG Zoning District to serve retail, office, and residential parking needs. It is especially important in areas where there are active edge designations to support ground floor businesses and to serve as a buffer for pedestrian activity along high-volume streets. However, depending on conditions along existing streets in addition to City safety policies and procedures, the provision of on-street parking on all streets within the NBG Zoning District is subject to the approval of the Director of the Public Works Department and compliance with fire access standards.

3.4.3. On-Street Parallel Parking

A. NBG Core Transit Corridors

1. On-street parallel parking is encouraged along the following NBG Core Transit Corridors: Kramer Lane, Stonelake Blvd, and Capital of Texas Hwy within the NBG Zoning District, as indicated on the NBG Roadway Types Map (Figure 1-3).
2. The Director of the Public Works Department may determine that such parking is not feasible due to limited right-of-way width or lack of appropriate and adequate easement, transit activity conflict and interference, inadequate sight distance caused by vertical or horizontal curvature of a street, high roadway speeds, or other safety concerns.

3. The design for on-street parallel parking may be accommodated by providing parking inside the curb line (Figure 3-10).
4. If on-street parking is provided, the sidewalk standards under Section 3.3 shall continue to apply, with both a clear zone and street tree/furniture zone placed adjacent to the curb at the inside of the parking spaces.
5. On-street parallel parking is not permitted on Burnet Road. The portion of Burnet Road in the North Burnet/Gateway planning area is part of the State Highway System (FM1325) and thus under the Texas Department of Transportation (TxDOT) jurisdiction. The North Burnet/Gateway Master Plan recommends the City of Austin request to take ownership of the roadway, and redesign the roadway into an urban transit boulevard. At such time as the City takes over ownership, consideration will be given to permitting parallel parking on Burnet Road.

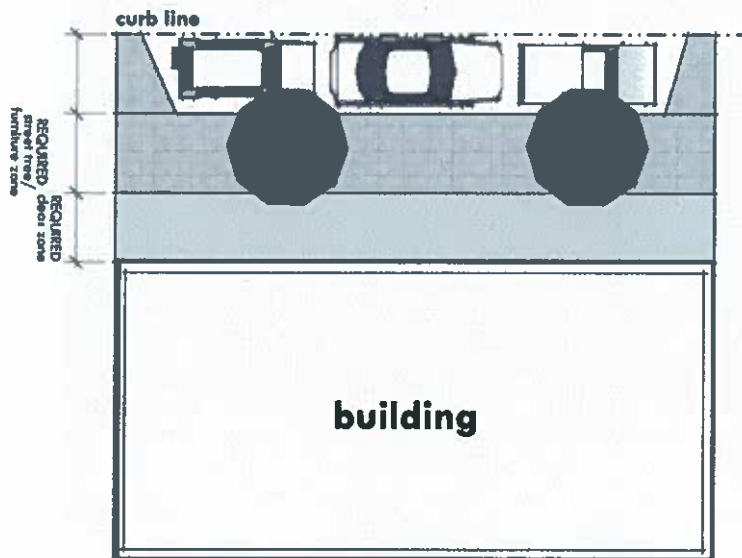


Figure 3-10: On-street parallel parking design inside the curb line.

B. NBG Pedestrian Priority Collectors and NBG Urban Roadways

1. On-street parallel parking is encouraged along all NBG Pedestrian Priority Collectors and NBG Urban Roadways and shall be permitted subject to the approval of the Director of the Public Works Department.
2. The design for on-street parallel parking may be accommodated using standard design adjacent to the curb (Figure 3-11) or by providing parking inside the curb line (Figure 3-10).
3. If on-street parking is provided, the sidewalk provisions under Section 3.3 shall continue to apply, with both a clear zone and street tree/furniture zone placed adjacent to the curb at the inside of the parking spaces.

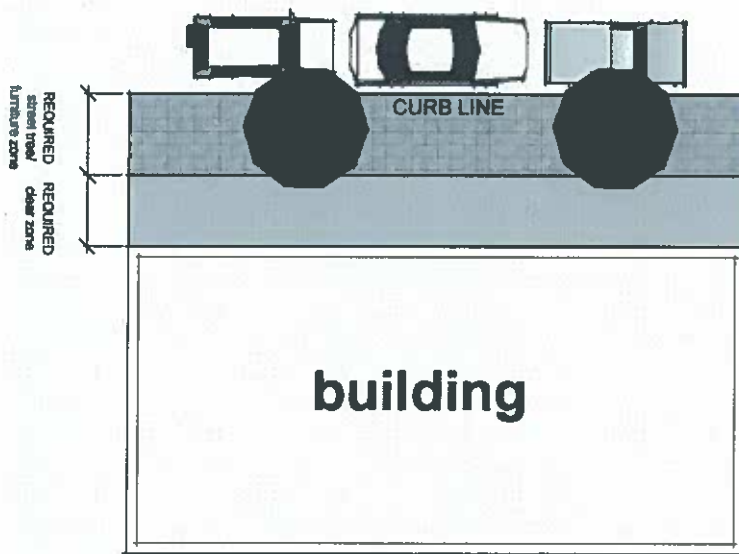


Figure 3-11: On-street parallel parking - standard design adjacent to the curb.

3.4.4. Head-in and Angle Parking Restrictions

Head-in and angle parking are not allowed in the TOD Subdistrict or on a NBG Core Transit Corridor or NBG Pedestrian Priority Collector in the NBG Zoning District.

3.5. CONNECTIVITY AND CIRCULATION

3.5.1. Project Circulation Plan

A. Applicability

Standard	Applies if the NBG Subdistrict is:						Applies if the Adjacent Street is:				Applies to the following:
	TOD	CMU	NMU	NR	WMU	CI	CTC	PPC	UR	HWY	
Section 3.5.1 Project Circulation Plan	●	●	●	●	●	●	●	●	●	●	All development

B. All projects must provide a Project Circulation Plan as part of the subdivision review process (or site plan if a subdivision plan is not required). The Project Circulation Plan shall be developed and reviewed for its consistency with this Section 3.5 and the NBG Collector Street Plan (Figure 3-12), which illustrates conceptual locations for new collector streets in the NBG Planning Area.

C. The Project Circulation Plan shall demonstrate:

1. How the on-site circulation system meets the standards of this Section 3.5.
2. How the on-site circulation system will be integrated with surrounding streets, bicycle facilities, trails, existing or future development, etc.
3. How new street design conforms with street cross section standards in Appendix A and reflects the intent of this Article.
4. How new collector street alignments conform with the NBG Collector Street Plan (Figure 3-12) or how deviations from the Collector Street Plan, in terms of roadway placement, alignment, and design, are consistent with the intent statements in this Document.
5. Consideration for pedestrians, bicyclists, transit, and vehicles.
6. That the street and pathway system will contribute to safe and convenient pedestrian connections between primary destinations within the NBG Area (e.g. transit station, commercial services, parks) and residential areas.

D. A Project Circulation Plan must be approved by the Directors of the Neighborhood Planning and Zoning and Watershed Protection and Development Review Departments. In reviewing the Project Circulation Plan for approval, the Directors shall consider whether the plan:

1. It is consistent with standards in this Section 3.5.
2. It is consistent with the NBG Collector Street Plan (Figure 3-12) or presents alternatives that demonstrate satisfactory compliance with the Collector Street Plan; and
3. It meets all applicable requirements in the Transportation Criteria Manual (TCM) or presents acceptable alternatives to the standards in the TCM.

A subdivision or site plan may not be approved if the Project Circulation Plan is not approved. The Directors' decision approving or disapproving a Project Circulation Plan is subject to administrative appeal under the requirements of Section 25-1-182 (*Initiating an Appeal*) of the LDC.

3.5.2. Dedication of NBG Collector Streets

A. Applicability

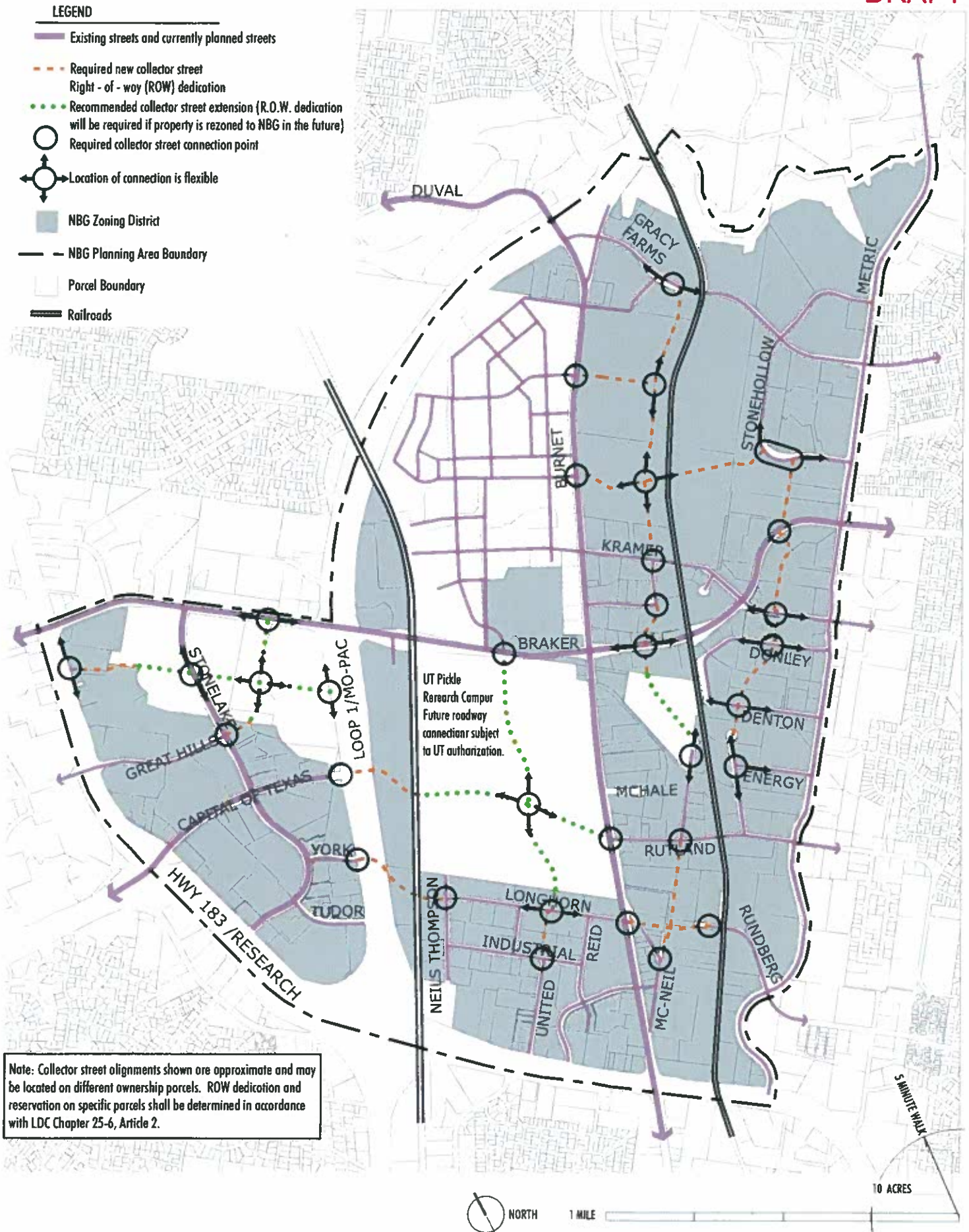
Standard	Applies if the NBG Subdistrict is:						Applies if the Adjacent Street is:				Applies to the following:
	TOD	CMU	NMU	NR	WMU	CI	CTC	PPC	UR	HWY	
Section 3.5.2 Dedication of NBG Collector Streets	●	●	●	●	●	●		●			All development.

B. Right-of-way shall be dedicated for collector streets as identified on the NBG Collector Street Plan (Figure 3-12) in conformance with LDC Section 25-6-51(a)(2) [an approved collector plan] and associated requirements in LDC Chapter 25-6, Article 2 [Reservation and Dedication of Right-of-Way].

1. New collector streets shall follow one of the Primary Collector Street cross-sections provided in Appendix A.
2. The collector street shown on Figure 3-12 running north-south located east of Burnet Road and west of the railroad tracks shall follow the Primary Collector Street (35 M.P.H or less) off-street bikeway option cross-section.
3. Collector street alignments shown on Figure 3-12 are approximate, are subject to modification as deemed appropriate by the Directors and may be located on different ownership parcels. ROW dedication and reservation on specific parcels shall be determined in accordance with LDC Chapter 25-6, Article 2.
4. If a site is five acres or larger in size and required build a new street(s) to meet the block size standards in Section 3.5.4, a street alignment shall follow the collector street alignment as identified in Figure 3-12.
5. If a site is less than five acres in size, or would otherwise not be required to provide a new street(s) on the site in compliance with the block size standards in Section 3.5.4 or any other requirement,
 - a. Floor-to-Area (FAR) calculations for the non-dedicated portion of the site shall be made based on the total site area prior to the dedication.
 - b. If the project builds the collector street following one of the Primary Collector Street cross-sections provided in Appendix A, the site will be eligible for a development bonus in exchange for building the collector street. The development bonus criteria and standards are detailed in Article 6.

Figure 3-12 : North Burnet / Gateway (NBG) Zoning District
Collector Street Plan

DRAFT



3.5.3. Standards for New Streets

A. Applicability

Standard	Applies if the NBG Subdistrict is:						Applies if the Adjacent Street is:				Applies to the following:
	TOD	CMU	NMU	NR	WMU	CI	CTC	PPC	UR	HWY	
Section 3.5.3. Standards for New Streets	●	●	●	●	●	●	N/A	N/A	N/A	N/A	Any new street built in the NBG Zoning District.

N/A = Not Applicable.

- B. Any new street built in the NBG Zoning District will be required to follow one of the street cross-sections provided in Appendix A.
- C. New streets are encouraged to incorporate Innovative Water Quality Controls as described in Environmental Criteria Manual Section 1.6 and illustrated in Appendix C.

3.5.4. Block Standards

A. Applicability

Standard	Applies if the NBG Subdistrict is:						Applies if the Adjacent Street is:				Applies to the following:
	TOD	CMU	NMU	NR	WMU	CI	CTC	PPC	UR	HWY	
Section 3.5.4 Block Standards	●	●	●	●	●	●	●	●	●	●	A site five acres or larger, or any block face exceeding 500 feet in length.

B. Maximum Block Size

A site five acres or larger shall be generally divided into internal blocks. Streets connecting the blocks shall form an interconnected, grid-like transportation system on the site. Notwithstanding the provisions of new streets consistent with the NBG Collector Street Plan, the maximum length of any block face shall be 660 feet and the maximum block perimeter shall be 1,800 feet as measured from the curb line (see Figure 3-21) with the following exemptions, subject to the approval of the Director:

1. Block size should not exceed the standards in Subsection B above unless there are special circumstances including, but not limited to: restricted access due to easements, rail right-of-way, natural features (such as waterways and floodplain), and existing development.
2. Contiguous green spaces or parks are not subject to the block-length requirements, but if the green space or park is longer than 500 feet, it must include at a minimum of one pedestrian and bicycle shared use path as a mid-block connection. This path shall connect to other existing or planned pedestrian/bicycle routes through the site or adjacent to the site.
3. Contiguous areas adjacent to and following the Capital Metro railway right-of-way are not subject to the block length requirements if they do not extend more than 175 feet away from the rail right-of-way.

C. Mid-block Pathway

For a block face exceeding 500 feet in length, a pedestrian pathway shall be provided as a mid-block route to connect to public streets and/or other existing or planned pedestrian routes through the site or adjacent to the site (see Figure 3-13).

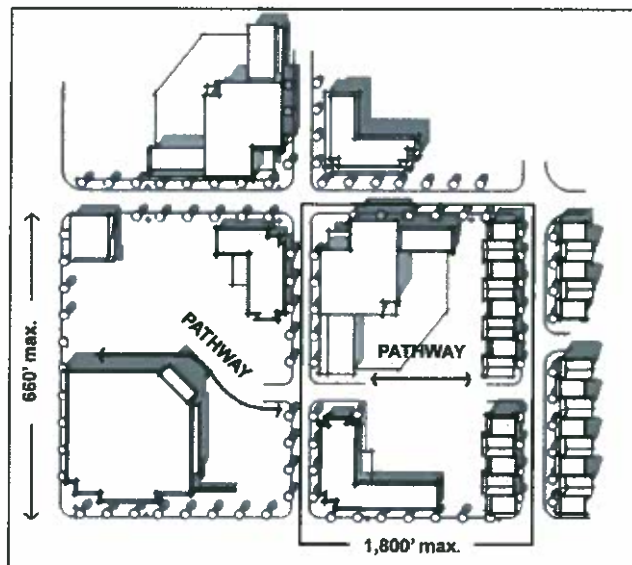


Figure 3-13: Example of a development meeting block standards and mid-block pathways

D. Subdivision of Internal Blocks

Internal blocks abutting new streets may be subdivided to allow for the sale and development of individual blocks without frontage on a public street if the Director determines that the new street is equivalent to a public street in terms of pedestrian and bicycle access, utilities, pavement design, and vehicle access requirements.

3.5.5. Curb Cut Spacing Standards

A. Applicability

Standard	Applies if the NBG Subdistrict is:						Applies if the Adjacent Street is:				Applies to the following:
	TOD	CMU	NMU	NR	WMU	CI	CTC	PPC	UR	HWY	
Section 3.5.5 Curb-cut Spacing Standards	●	●	●	●	●	●	●	●	●	●	All development

B. General Standards

In addition to the standards under Subsections C and D below, curb-cuts on streets in the NBG Zoning District shall be located in accordance with the driveway spacing standards in Section 5 of the Transportation Criteria Manual (TCM).

C. NBG Core Transit Corridors

Curb cuts for vehicular connections between the site and any adjacent NBG Core Transit Corridor shall not occur more frequently than every 330 feet. An NBG Pedestrian Priority Collector or NBG Urban Roadway does not count as a curb cut.

D. Small Lots on NBG Core Transit Corridors and NBG Pedestrian Priority Collectors

For lots with frontage less than 50 feet wide adjacent to an NBG Core Transit Corridor or Pedestrian Priority Collector, access to the lot shall be provided by a single joint use driveway from the CTC or PPC; otherwise access shall be provided from an NBG Urban Roadway, Highway, or Alley.

E. NBG Highways

Curb-cuts on NBG Highways shall be located in accordance with TxDOT driveway spacing standards located in the TxDOT Access Management Manual. The driveway spacing requirements are related to the posted speed limits. TxDOT is part of the City of Austin review process and all site developments that abut a

state highway system are reviewed by the TxDOT Driveway and Utility Permit Office and Area Engineer's office prior to final approval by the City.

3.5.6. Curb-Cut Dimensional Standards

A. Applicability

Standard	Applies if the NBG Subdistrict is:						Applies if the Adjacent Street is:				Applies to the following:
	TOD	CMU	NMU	NR	WMU	CI	CTC	PPC	UR	HWY	
Section 3.5.6 Curb-Cut Dimensional Standards	●	●	●	●	●	●	●	●	●	●	All development

B. Curb-Cut Width Standards

Section 5 of the Transportation Criteria Manual (TCM) specifies driveway standards in 5.3.2 of the TCM. These standards shall continue to apply to residential (Type I) and commercial (Type II) driveways, except as provided in this subsection.

1. The maximum Type I driveway width for townhouse residences shall be 18 feet.
2. Driveways along street frontages with an active edge designation are discouraged. When they are deemed necessary by the Director, the maximum Type II driveway width for multi-family residential and commercial uses shall be 30 feet along an active edge.
3. Other Type II driveways within the NBG Zoning District shall be no more than 30 feet wide, and they may be expanded to a maximum width of 35 feet when deemed necessary by the Director for proper traffic circulation and access.
4. The maximum curb return radius for all Type II driveways shall be 15 feet in the TOD, CMU, NMU, and NR Subdistricts. The maximum curb return radius may be expanded when deemed necessary by the Director for proper traffic circulation and access.
5. Sidewalk clear zones crossing a driveway shall be continuous and as straight and level as possible. Curb cuts shall ramp up and down to the level of the sidewalk rather than require additional curb ramps along the sidewalk.

3.5.7. Commercial and Residential Alleys

A. Applicability

Standard	Applies if the NBG Subdistrict is:						Applies if the Adjacent Street is:				Applies to the following:
	TOD	CMU	NMU	NR	WMU	CI	CTC	PPC	UR	HWY	
Section 3.5.7 Commercial and Residential Alleys	●	●	●	●	●	●	●	●	●	●	Optional for all development

B. Alleys are encouraged to focus specific types of activity “behind the scenes” and to potentially allow for another point of access to the site. Alleys may provide space for, but not limited to, the following: loading areas, trash collection, utility location, and access to parking. Alleys shall comply with the Commercial Alley or Residential Alley cross-sections as shown in Appendix A.

C. Alleys should be used mid-block for service access and shall not substitute for streets required for emergency vehicle access or to meet block size or connectivity requirements.

3.5.8. Pedestrian, Bicycle, and Vehicular Circulation

A. Applicability

Standard	Applies if the NBG Subdistrict is:						Applies if the Adjacent Street is:				Applies to the following:
	TOD	CMU	NMU	NR	WMU	CI	CTC	PPC	UR	HWY	
Section 3.5.8 Pedestrian, Bicycle, and Vehicular Connectivity	●	●	●	●	●	●	●	●	●	●	All development

All sites or developments subject to this section shall:

- B. Provide private drive or public/private street connections to existing private drives or public/private streets on adjacent sites;
- C. Provide direct pedestrian access from any street adjacent to the property line to a building entrance (the pedestrian access point must be fully accessible during operating hours).
- D. Where public parkland is adjacent to the property line, provide pedestrian and bicycle access from the trail or walkway system on that parkland to the building entrance (the pedestrian and bicycle access points must be fully accessible during operating hours and shall meet City standards for pedestrian and bike ways).

- E. Development projects in the TOD Subdistrict shall consult with the City of Austin Bicycle and Pedestrian Program prior to or during the Project Circulation Plan review about possible ways to achieve separated off-street bikeways.**

ARTICLE 4: SITE DEVELOPMENT STANDARDS

The applicability of standards in Article 4 is based on the NBG Subdistrict in which a property is located and the Roadway Type adjacent to it. Refer to Article 1 for descriptions and maps of NBG Subdistricts and NBG Roadway Types.

4.1. INTENT

The standards of Article 4 are intended to:

- 4.1.1.** Ensure that buildings relate appropriately to the surrounding area, create a cohesive visual identity and attractive street scene, and frame the pedestrian environment;
- 4.1.2.** Ensure that buildings relate appropriately to their roadway context, allowing for easy pedestrian access to buildings and providing well-defined edges to the roadway environment;
- 4.1.3.** Provide opportunities for roadside uses that enliven and enrich the roadway and pedestrian environment, such as outdoor dining, porches, patios, and landscape features;
- 4.1.4.** Ensure that vehicular parking is accommodated in a manner that enriches and supports, rather than diminishes, the pedestrian environment;
- 4.1.5.** Provide adequate, secure, and convenient bicycle parking to meet the needs of the users of a development and to encourage cycling activity;
- 4.1.6.** Ensure that utilities and mechanical equipment are obscured and are not prominent features of a development that negatively impact the visual experience;
- 4.1.7.** Ensure that exterior lighting creates a safe night-time atmosphere and encourages activity in the evening, but does not overwhelm the environment and intrude onto adjacent properties; and
- 4.1.8.** Provide both private and public open space amenities to residents, workers, and visitors of the NBG Zoning District so that the urban character of the NBG area is balanced with the open space needs of these populations.
- 4.1.9.** Encourage innovative stormwater management practices.

4.2. GENERAL DEVELOPMENT STANDARDS

For the purpose of applying the standards in this Subsection, a story is defined in Article 7 Definitions.

4.2.1. Applicability

Standard	Applies if the NBG Subdistrict is:						Applies if the Adjacent Street is:				Applies to the following:
	TOD	CMU	NMU	NR	WMU	CI	CTC	PPC	UR	HWY	
Section 4.2 General Development Standards	●	●	●	●	●	●	●	●	●	●	All development.

4.2.2. General Development Standards Summary Table

The General Development Standards Summary Pages in Figure 4-1 establish site development standards for each NBG Subdistrict and any additional regulations that apply in a specific subdistrict.

4.2.3. Other Site Development Standards

For all development in the NBG Zoning District:

- A. Maximum Units Per Acre**
There are no maximum units per acre requirements.
- B. Minimum Site Area Requirements**
There are no minimum site area requirements.
- C. Maximum Building Coverage**
Maximum building coverage shall be equal to the maximum impervious cover permitted.

4.2.4. Compatibility Standards

- A. Development within the NBG Planning Area does not trigger the standards in Subsection B below.**
- B. Compatibility standards, as stipulated in Article 10 Division 2 of the LDC shall apply if triggered by:**
 - 1. a use allowed in an SF-5 or more restrictive zoning district that is located outside of the NBG Planning Area, or
 - 2. an SF-5 or more restrictive zoning district that is located outside of the NBG Planning Area.

**FIGURE 4 - 1 TOD : NBG ZONING DISTRICT GENERAL SITE DEVELOPMENT STANDARDS
TRANSIT ORIENTED DEVELOPMENT (TOD) SUBDISTRICT**

LOT SIZE	
Minimum Lot Size	2,500 SF
Minimum Lot Width	20 Feet

MINIMUM SETBACKS	
Front Yard and Street Side Yard*:	
No ground-level front yard or street side yard setbacks are required. Instead, development must meet the building placement standards in Section 4.3.	
Front and Street Side Upper-Story Building Facade Stepbacks:	
The building facade at the 6th story and above must be stepped back 30 feet from the ground-level building facade line.	
Interior Side Yard:	0 Feet
Rear Yard:	0 Feet
* If the street right-of-way is less than 60 feet in width, the minimum front yard and street side yard setbacks for buildings three or more stories in height shall be 30 feet from the center line of the street to ensure fire access.	

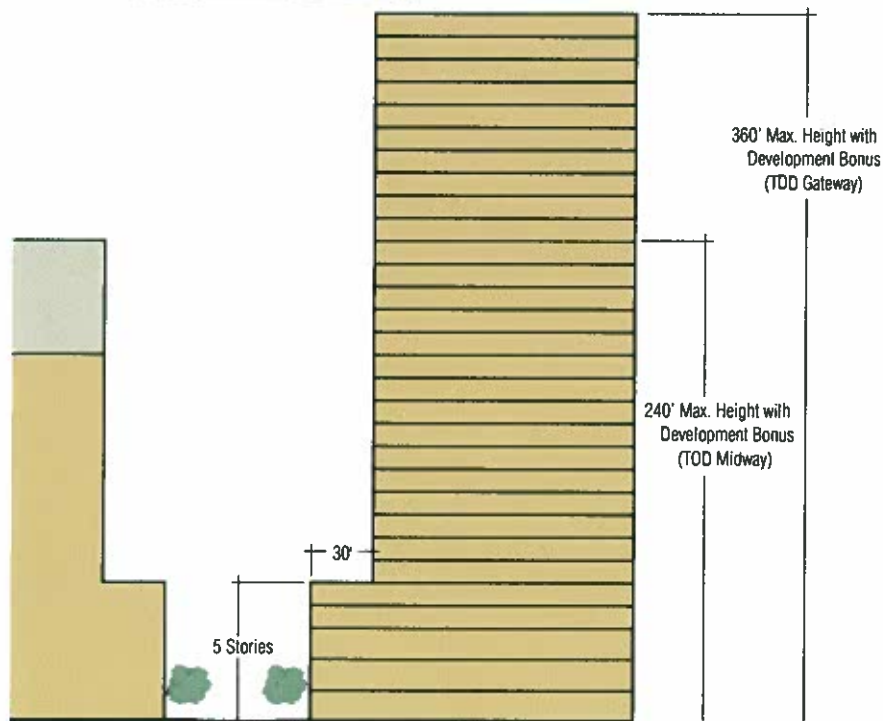
MAXIMUM IMPERVIOUS COVER	
If located in an urban watershed (Shoal or Little Walnut Creek) :	
Established on Figure 4-6 (Based on the maximum impervious cover allowed by the property's zoning prior to adoption of the this Document.)	
If located in a suburban watershed (Walnut Creek)*:	
	80%
* This requirement supersedes impervious cover requirements of Section 25-8-394(C) of the LDC.	

FLOOR TO AREA RATIO	
Maximum Floor-to-Area Ratio (FAR) by Right:	
Established on Figure 4-2 (Based on the maximum FAR allowed by the property's zoning prior to adoption of this Document)	
Maximum Floor-to-Area Ratio (FAR) with Development Bonus:	
TOD Gateway Zone	8:1
TOD Midway Zone	5:1
This FAR may be granted in exchange for the provision of public benefits. The development bonus criteria and standards are detailed in Article 6.	



BUILDING HEIGHT	
Minimum Building Height:	
2 Stories	
Maximum Building Height by Right:	
Established on Figure 4-4 (Based on the maximum height allowed by the property's zoning prior to adoption of this Document.)	
Maximum Building Height with Development Bonus*	
TOD Gateway	360 Feet
TOD Midway	240 Feet
This building height may be granted in exchange for the provision of public benefits. The development bonus criteria and standards are detailed in Article 6.	
*Exception: If adjacent to or across the street from NR subdistrict maximum height is 120 feet.	

Typical example of buildings in the Transit Oriented Development Subdistrict.



**FIGURE 4 - 1 CMU : NBG ZONING DISTRICT GENERAL SITE DEVELOPMENT STANDARDS
COMMERCIAL MIXED USE (CMU) SUBDISTRICT**

LOT SIZE	
Minimum Lot Size	2,500 SF
Minimum Lot Width	20 Feet

MINIMUM SETBACKS	
Front Yard and Street Side Yard*:	
No ground-level front yard or street side yard setbacks are required. Instead, development must meet the building placement standards in Section 4.3.	
Front and Street Side Upper-Story Building Facade Stepbacks:	
The building facade at the 6th story and above must be stepped back 30 feet from the ground-level building facade line.	
Interior Side Yard:	0 Feet
Rear Yard:	0 Feet
* If the street right-of-way is less than 60 feet in width, the minimum front yard setback for buildings three or more stories in height shall be 30 feet from the center line of the street to ensure fire access.	

MAXIMUM IMPERVIOUS COVER	
If located in an urban watershed (Shoal or Little Walnut Creek) :	
Established on Figure 4-6 (Based on the maximum impervious cover allowed by the property's zoning prior to adoption of the this Document.)	
If located in a suburban watershed (Walnut Creek)*: 80%	
* This requirement supersedes impervious cover requirements of Section 25-8-394(C) of the LDC.	

FLOOR TO AREA RATIO	
Maximum Floor-to-Area Ratio (FAR) by Right:	
Established on Figure 4-2 (Based on the maximum FAR allowed by the property's zoning prior to adoption of this Document)	
Maximum Floor-to-Area Ratio (FAR) with Development Bonus: 3:1	
This FAR may be granted in exchange for the provision of public benefits. The development bonus criteria and standards are detailed in Article 6.	

BUILDING HEIGHT	
Minimum Building Height:	
Not applicable	
Maximum Building Height by Right:	
Established on Figure 4-4 (Based on the maximum height allowed by the property's zoning prior to adoption of this Document.)	
Maximum Building Height with Development Bonus*: 180 Feet*	
This building height may be granted in exchange for the provision of public benefits. The development bonus criteria and standards are detailed in Article 6.	
*Exception: If adjacent to or across the street from NR Subdistrict the maximum height is 120 feet.	



Typical examples of buildings in the Commercial Mixed Use Subdistrict.

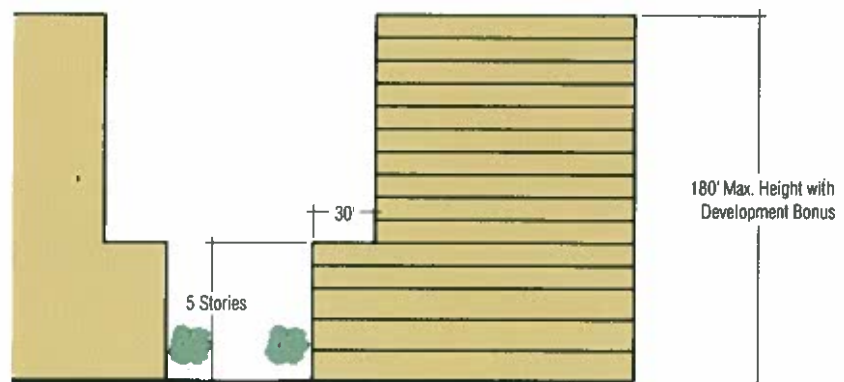


FIGURE 4 - 1 NMU : NBG ZONING DISTRICT GENERAL SITE DEVELOPMENT STANDARDS
NEIGHBORHOOD MIXED USE (NMU) SUBDISTRICT

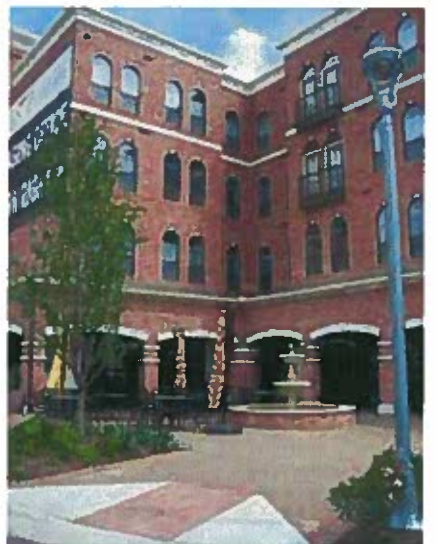
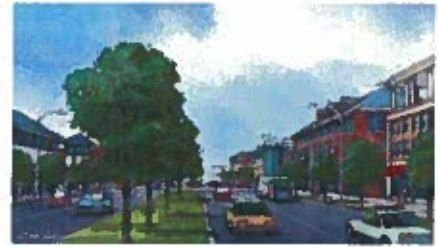
LOT SIZE	
Minimum Lot Size	1,600 SF
Minimum Lot Width	20 Feet

MINIMUM SETBACKS	
Front Yard and Street Side Yard*:	
No ground-level front yard or street side yard setbacks are required. Instead, development must meet the building placement standards in Section 4.3.	
Front and Street Side Upper-Story Building Facade Stepbacks:	
The building facade at the 6th story and above must be stepped back 30 feet from the ground-level building facade line.	
Interior Side Yard:	0 Feet
Rear Yard:	5 Feet
* If the street right-of-way is less than 60 feet in width, the minimum front yard setback for buildings three or more stories in height shall be 30 feet from the center line of the street to ensure fire access.	

MAXIMUM IMPERVIOUS COVER	
If located in an urban watershed (Shoal or Little Walnut Creek) :	
Established on Figure 4-6 (Based on the maximum impervious cover allowed by the property's zoning prior to adoption of the this Document.)	
If located in a suburban watershed (Walnut Creek)*:	
	80%
* This requirement supersedes impervious cover requirements of Section 25-8-394(C) of the LDC.	

FLOOR TO AREA RATIO	
Maximum Floor-to-Area Ratio (FAR) by Right:	
Established on Figure 4-2 (Based on the maximum FAR allowed by the property's zoning prior to adoption of this Document)	
Maximum Floor-to-Area Ratio (FAR) with Development Bonus:	
	3:1
This FAR may be granted in exchange for the provision of public benefits. The development bonus criteria and standards are detailed in Article 6.	

BUILDING HEIGHT*	
Minimum Building Height:	
Not applicable	
Maximum Building Height by Right:	
Established on Figure 4-4 (Based on the maximum height allowed by the property's zoning prior to adoption of this Document.)	
Maximum Building Height with Development Bonus:	
	120 Feet
This building height may be granted in exchange for the provision of public benefits. The development bonus criteria and standards are detailed in Article 6.	
* Properties may be required to comply with the building height restrictions in Subsection 4.2.10 Compatibility Standards, if triggered by a property outside of the NBG Planning Area.	



Typical examples of buildings in the Neighborhood Mixed Use Subdistrict.

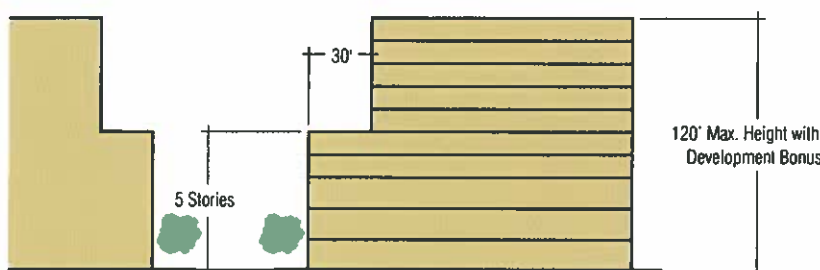


FIGURE 4 - 1 NR : NRG ZONING DISTRICT GENERAL SITE DEVELOPMENT STANDARDS
NEIGHBORHOOD RESIDENTIAL (NR) SUBDISTRICT

LOT SIZE	
Minimum Lot Size	1,600 SF
Minimum Lot Width	20 Feet

MINIMUM SETBACKS	
Front Yard and Street Side Yard*:	
No ground-level front yard or street side yard setbacks are required. Instead, development must meet the building placement standards in Section 4.3.	
Front and Street Side Upper-Story Building Facade Stepbacks:	
The building facade at the 6th story and above must be stepped back 30 feet from the ground-level building facade line.	
Interior Side Yard:	0 Feet
Rear Yard:	5 Feet
* If the street right-of-way is less than 60 feet in width, the minimum front yard setback for buildings three or more stories in height shall be 30 feet from the center line of the street to ensure fire access.	

MAXIMUM IMPERVIOUS COVER	
If located in an urban watershed (Shoal or Little Walnut Creek) :	
Established on Figure 4-6 (Based on the maximum impervious cover allowed by the property's zoning prior to adoption of the this Document.)	
If located in a suburban watershed (Walnut Creek)*: 60%	
* This requirement supersedes impervious cover requirements of Section 25-8-394(C) of the LDC.	

FLOOR TO AREA RATIO	
Maximum Floor-to-Area Ratio (FAR) by Right:	
Established on Figure 4-2 (Based on the maximum FAR allowed by the property's zoning prior to adoption of this Document)	
Maximum Floor-to-Area Ratio (FAR) with Development Bonus: 2:1	
This FAR may be granted in exchange for the provision of public benefits. The development bonus criteria and standards are detailed in Article 6.	

BUILDING HEIGHT*	
Minimum Building Height:	
Not applicable	
Maximum Building Height by Right:	
Established on Figure 4-4 (Based on the maximum height allowed by the property's zoning prior to adoption of this Document.)	
Maximum Building Height with Development Bonus: 60 Feet	
This building height may be granted in exchange for the provision of public benefits. The development bonus criteria and standards are detailed in Article 6.	
* Properties may be required to comply with the building height restrictions in Subsection 4.2.10 Compatibility Standards, if triggered by a property outside of the NRG Planning Area.	



Typical examples of buildings in the Neighborhood Residential Subdistrict.



FIGURE 4 - 1 WMU : NBG ZONING DISTRICT GENERAL SITE DEVELOPMENT STANDARDS
WAREHOUSE MIXED USE (WMU) SUBDISTRICT

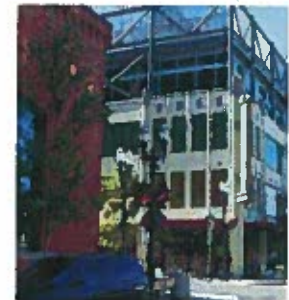
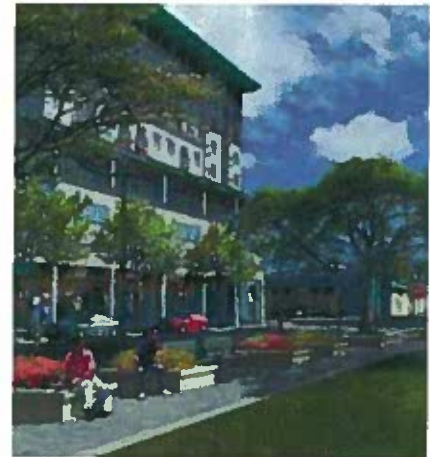
LOT SIZE	
Minimum Lot Size	2,500 SF
Minimum Lot Width	20 Feet

MINIMUM SETBACKS	
Front Yard and Street Side Yard*:	
No ground-level front yard or street side yard setbacks are required. Instead, development must meet the building placement standards in Section 4.3.	
Front and Street Side Upper-Story Building Facade Stepbacks:	
The building facade at the 6th story and above must be stepped back 30 feet from the ground-level building facade line.	
Interior Side Yard:	0 Feet
Rear Yard:	0 Feet
* If the street right-of-way is less than 60 feet in width, the minimum front yard setback for buildings three or more stories in height shall be 30 feet from the center line of the street to ensure fire access.	

MAXIMUM IMPERVIOUS COVER	
If located in an urban watershed (Shoal or Little Walnut Creek) :	
Established on Figure 4-6 (Based on the maximum impervious cover allowed by the property's zoning prior to adoption of the this Document.)	
If located in a suburban watershed (Walnut Creek):	
Not applicable	

FLOOR TO AREA RATIO	
Maximum Floor-to-Area Ratio (FAR) by Right:	
Established on Figure 4-2 (Based on the maximum FAR allowed by the property's zoning prior to adoption of this Document)	
Maximum Floor-to-Area Ratio (FAR) with Development Bonus: 3:1	
This FAR may be granted in exchange for the provision of public benefits. The development bonus criteria and standards are detailed in Article 6.	

BUILDING HEIGHT	
Minimum Building Height:	
Not applicable	
Maximum Building Height by Right:	
Established on Figure 4-4 (Based on the maximum height allowed by the property's zoning prior to adoption of this Document.)	
Maximum Building Height with Development Bonus: 120 Feet	
This building height may be granted in exchange for the provision of public benefits. The development bonus criteria and standards are detailed in Article 6.	



Typical examples of buildings in the Warehouse Mixed Use Subdistrict.

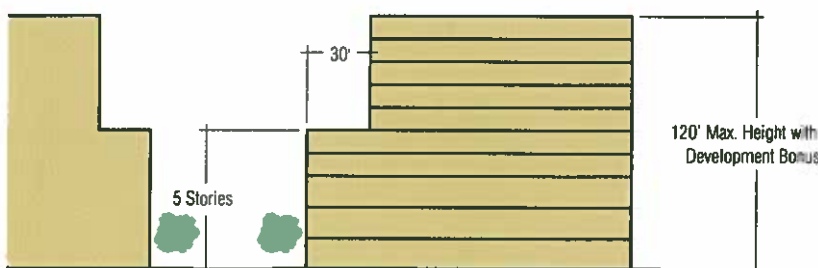


FIGURE 4 - 1 CI : NBG ZONING DISTRICT GENERAL SITE DEVELOPMENT STANDARDS
COMMERCIAL INDUSTRIAL (CI) SUBDISTRICT

LOT SIZE	
Minimum Lot Size	5,750 SF
Minimum Lot Width	50 Feet

MINIMUM SETBACKS	
Front Yard and Street Side Yard*:	
No ground-level front yard or street side yard setbacks are required. Instead, development must meet the building placement standards in Section 4.3.	
Front and Street Side Upper-Story Building Facade Steppbacks:	
The building facade at the 6th story and above must be stepped back 30 feet from the ground-level building facade line.	
Interior Side Yard:	5 Feet
Rear Yard:	5 Feet
* If the street right-of-way is less than 60 feet in width, the minimum front yard setback for buildings three or more stories in height shall be 30 feet from the center line of the street to ensure fire access.	

MAXIMUM IMPERVIOUS COVER	
If located in an urban watershed (Shoal or Little Walnut Creek) :	
Established on Figure 4-6 (Based on the maximum impervious cover allowed by the property's zoning prior to adoption of the this Document.)	
If located in a suburban watershed (Walnut Creek):	
Not Applicable	

FLOOR TO AREA RATIO	
Maximum Floor-to-Area Ratio (FAR) by Right:	
Established on Figure 4-2 (Based on the maximum FAR allowed by the property's zoning prior to adoption of this Document)	
Maximum Floor-to-Area Ratio (FAR) with Development Bonus: 2:1	
This FAR may be granted in exchange for the provision of public benefits. The development bonus criteria and standards are detailed in Article 6.	

BUILDING HEIGHT	
Minimum Building Height:	
Not applicable	
Maximum Building Height by Right:	
Established on Figure 4-4 (Based on the maximum height allowed by the property's zoning prior to adoption of this Document.)	
Maximum Building Height with Development Bonus: 120 Feet	
This building height may be granted in exchange for the provision of public benefits. The development bonus criteria and standards are detailed in Article 6.	



Typical examples of buildings in the Commercial Industrial Subdistrict.

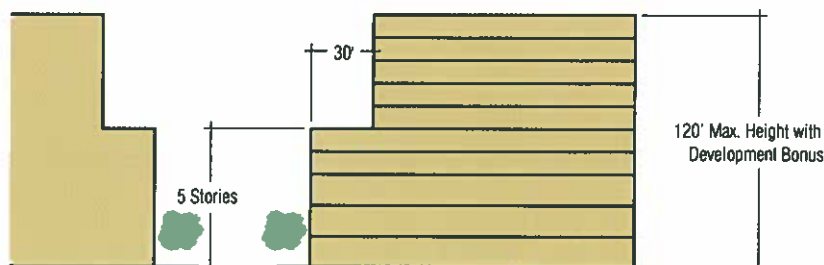


Figure 4-2 : Maximum Floor - to - Area - Ratio (FAR) by Right (with no Development Bonus)

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Figure 4-3 : Maximum Floor - to - Area- Ratio (FAR) with Development Bonus

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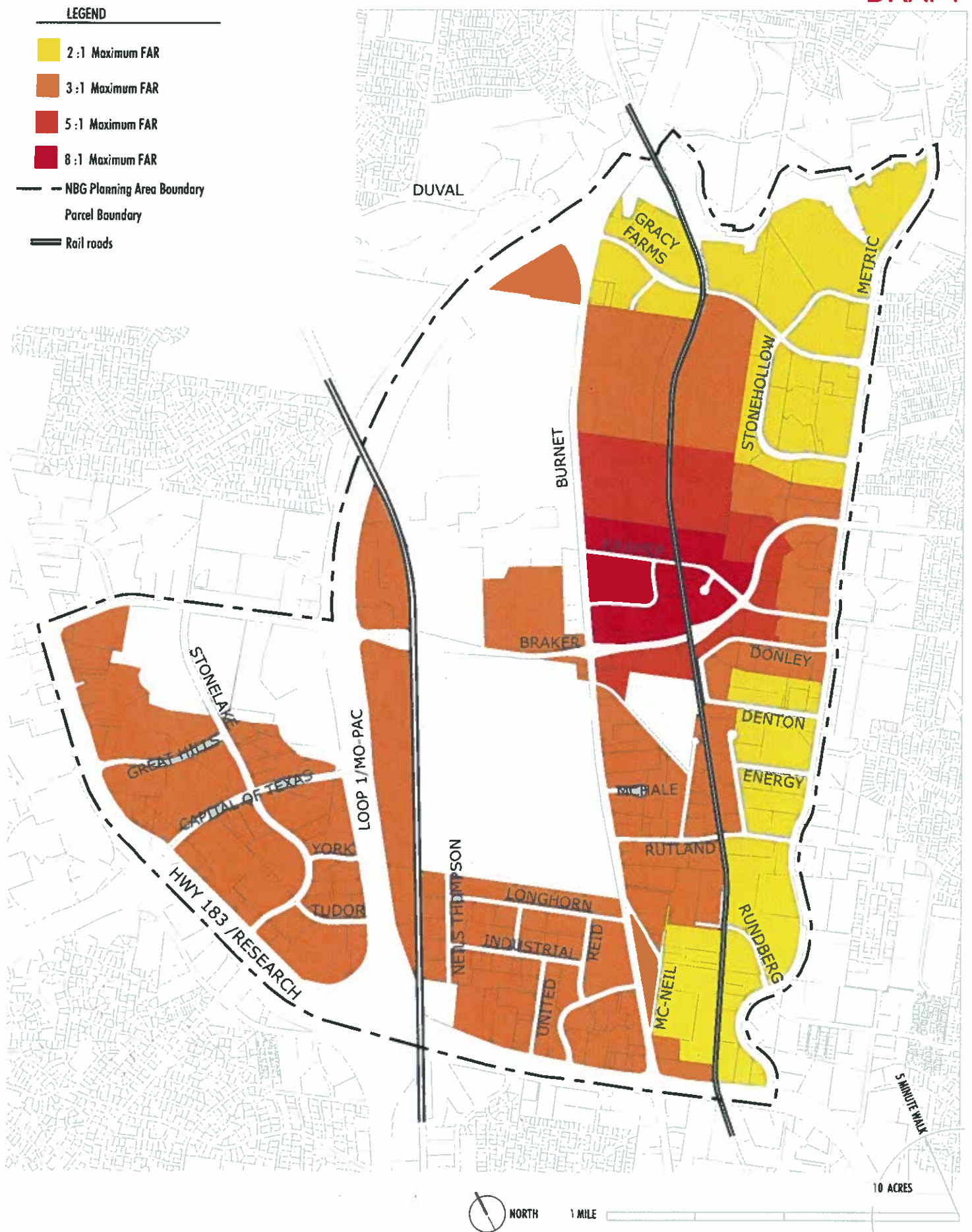


Figure 4 - 4 : Maximum Height by Right (with no Development Bonus)

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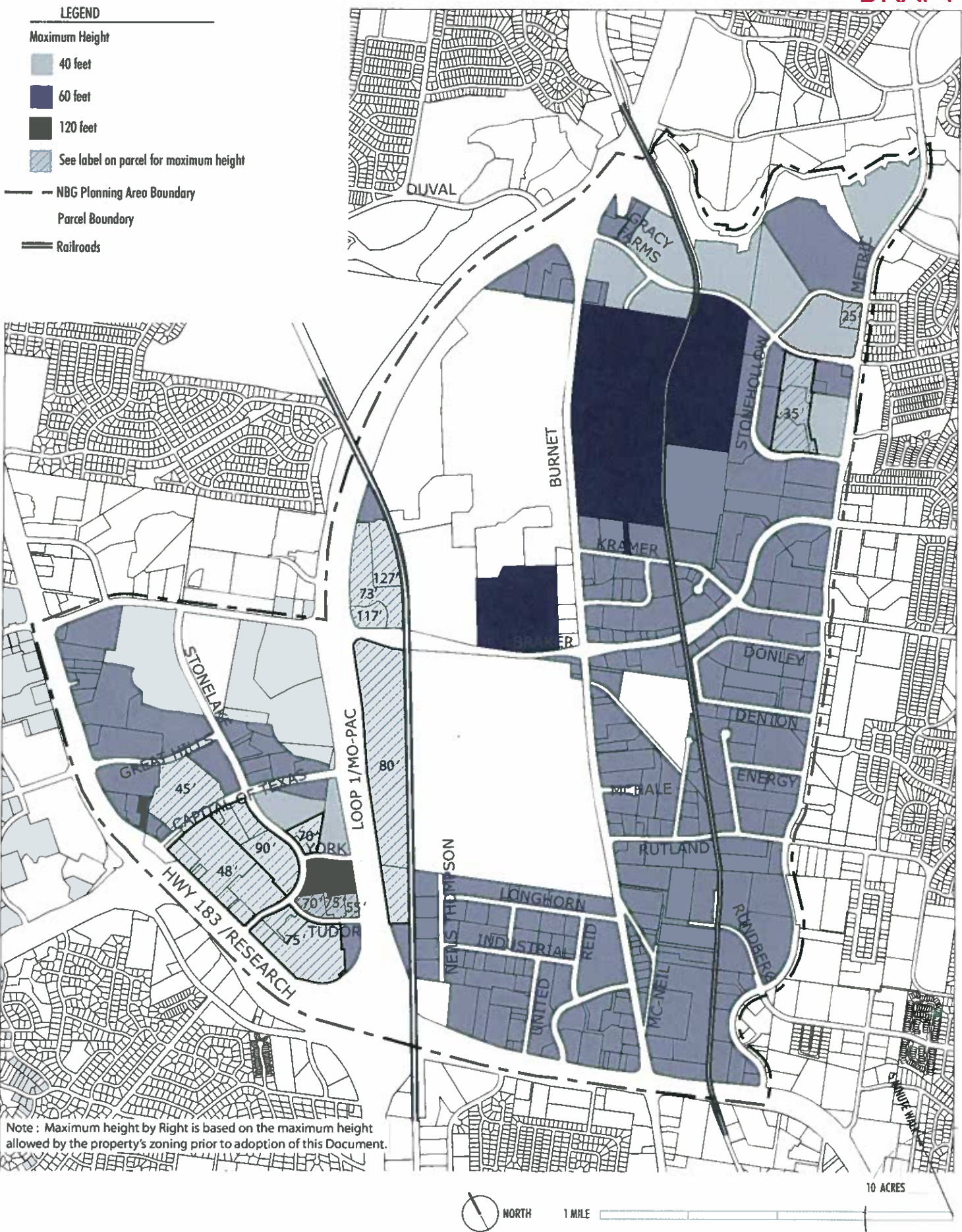


Figure 4-5: Maximum Height with Development Bonus

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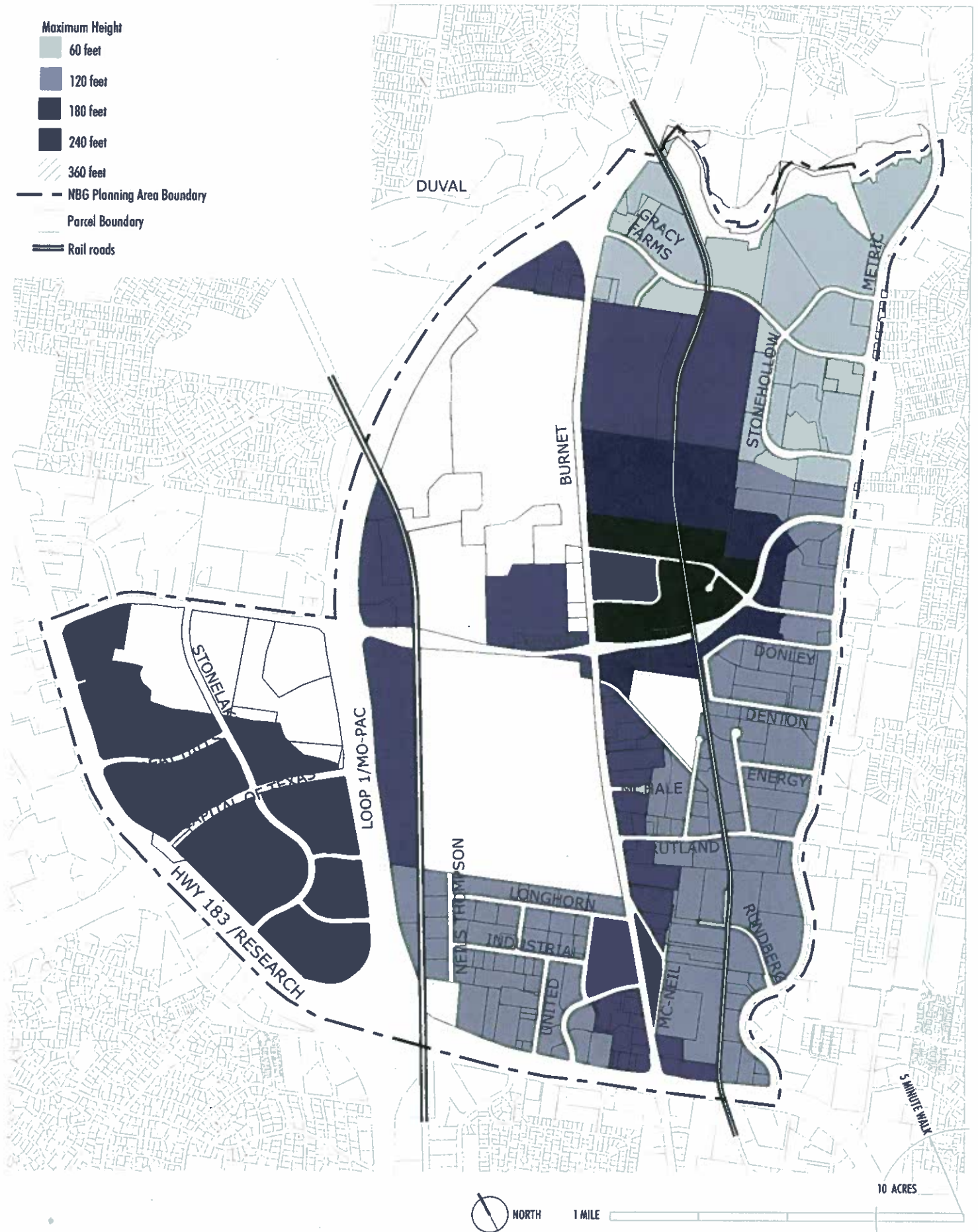
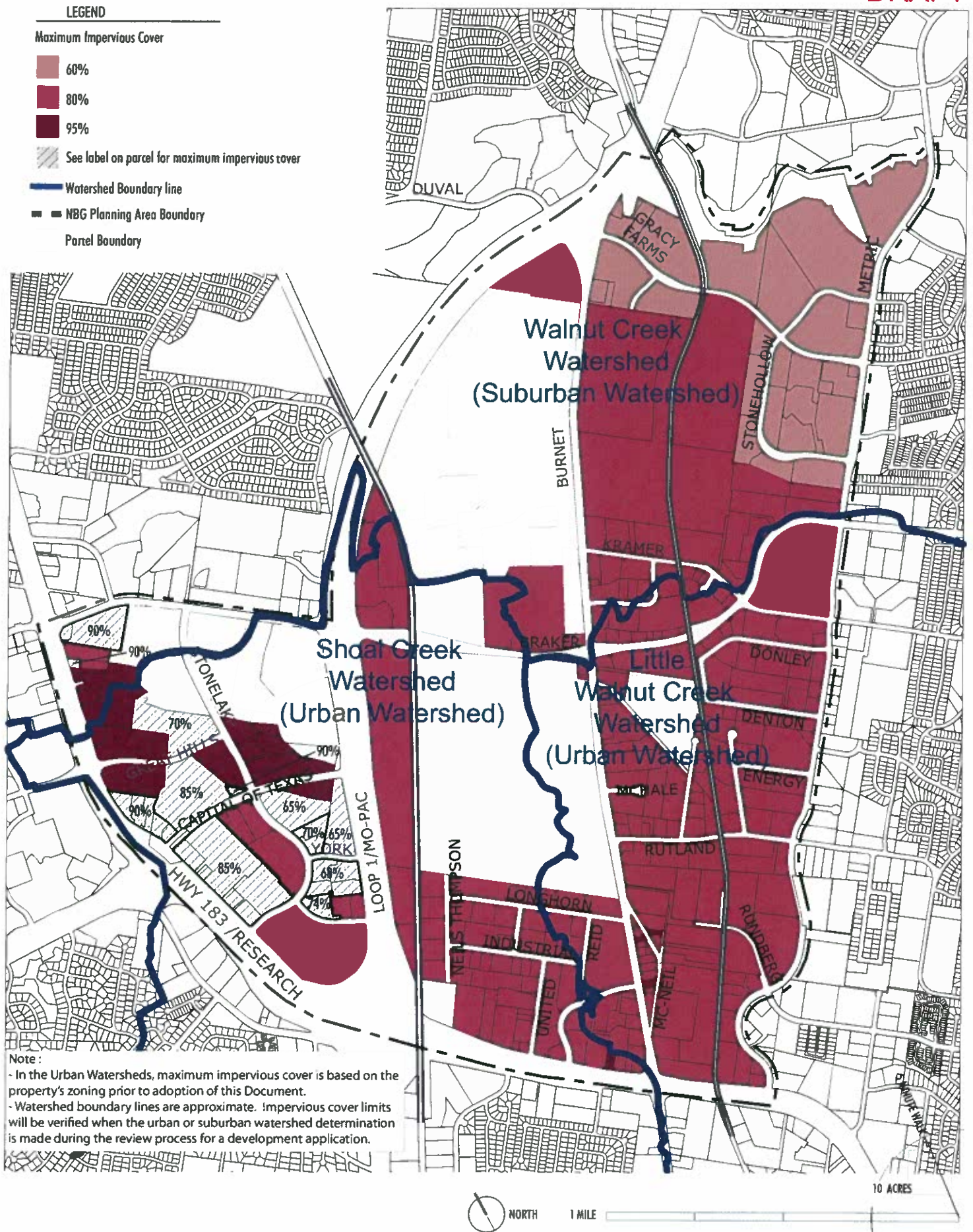


Figure 4-6 : North Burnet / Gateway (NBG) Zoning District
Watershed and Maximum Impervious Cover Map

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4.3. RELATIONSHIP OF BUILDINGS TO STREETS AND WALKWAYS

4.3.1. Purpose

This Document alters the standard manner of applying setbacks. Conventional zoning code applies a minimum building setback from the property line. However, with the NBG Master Plan, the goal is to build compact environments that are designed around the pedestrian where streetscapes frame the street and buildings have a continuous presence. Therefore, this Document does not require minimum or maximum setbacks and instead employs the use of build-to lines where a building, or a portion of a building, must be built up to the property line or the sidewalk clear zone (or supplemental zone if provided).

4.3.2. Building Placement Factors

A. Principal Street Determination

1. Any roadway type with an active edge designation has priority.
2. Absent an active edge designation, the following roadway types are listed from highest to lowest priority for purposes of this Article and Article 5:
 - a. NBG Core Transit Corridor;
 - b. NBG Pedestrian Priority Collector;
 - c. NBG Urban Roadway; and
 - d. NBG Highway.

The highest level of priority adjacent to the lot or site is considered the "principal street" for the purpose of applying many of the standards in Articles 4 and 5. For a lot or site that is adjacent to more than one roadway with an active edge designation, the roadway designated by the lot owner shall be considered the principal street.

For a lot or site that is absent an active edge that is adjacent to more than one roadway of equal priority, the roadway with the highest level of transit service, as determined by the Director, shall be considered the principal street. If the roadways do not have transit service or the level of transit service is equal, the roadway designated by the lot owner shall be considered the principal street. Building placement

standards vary according to the roadway type of the site's principal street.

B. Active Edge

To enliven pedestrian activity areas, which are located along major streets and at key intersections, the TOD Subdistrict requires active edges along specific street frontages as shown in Figure 1-2: NBG Subdistricts Map. Building placement near or adjacent to the street is an essential component along these active edges and the specific standards associated with them are detailed below in Subsection 4.3.3 Building Placement.

C. Supplemental Zone (Optional)

A supplemental zone may be provided at the option of the applicant between the street-facing façade line and the required sidewalk clear zone. This zone is available so that a development may provide active public uses such as a plaza, outdoor café or patio, or in more residential settings, private porches or open space. The extent to which such space may be provided is governed by the provisions in Subsection 4.3.4.

4.3.3. Building Placement

A. Applicability

Standard	Applies if the NBG Subdistrict is:						Applies if the Principal Street is:				Applies to the following:
	TOD	CMU	NMU	NR	WMU	CI	CTC	PPC	UR	HWY	
Section 4.3.3 Building Placement	●	●	●	●	●	●	●	●	●		-All development - Required along the principal street -Corner site provisions -Active Edge standards -Industrial use provisions

B. General Standards

A minimum percentage of the net frontage length of the property (or of the block if internal blocks are created within a site) along the principal street must consist of continuous building façade built up to the property line, clear zone, or the supplemental zone if one is provided (see Figures 4-7, 4-8, and 4-9). In addition, there is a minimum net frontage length requirement for any street with an active edge designation. The minimum net frontage length requirement varies according to the roadway type and the presence of an active edge. For purpose of applying the standards in this Document, "net frontage length" is defined in Article 7. The minimum net frontage length requirement is shown in the table

below. When only a portion of the site frontage is designated as an active edge, the active edge net frontage requirement shall be met for that portion of the site, but may be applied toward the overall net frontage requirement for the site based on the principal roadway.

The building placement standards in the following Figure 4-7 apply to the site's principal street:

Figure 4-7: Building Placement Standards				
	NBG Core Transit Corridor	NBG Pedestrian Priority Collector	NBG Urban Roadway	NBG Highway
Basic Standard	75% net frontage length to clear zone*	75% net frontage length to clear zone*	50% net frontage length to clear zone*	None
Active Edge Standard	100% net frontage length to clear zone*			

*or supplemental zone if provided

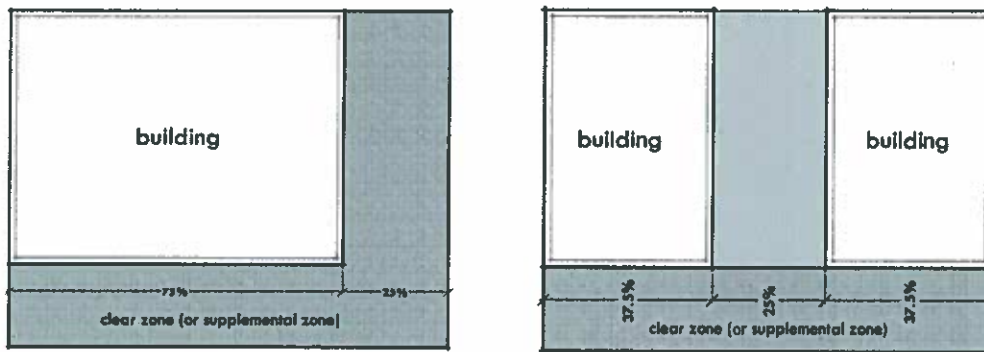


Figure 4-8: Sample illustrations meeting the net frontage building length requirement along a NBG Core Transit Corridor or NBG Pedestrian Priority Collector.

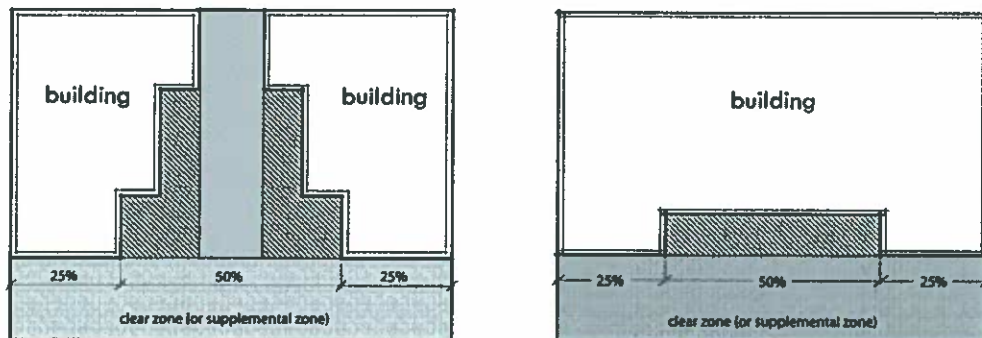


Figure 4-9: Sample illustrations meeting the net frontage building length requirement along a NBG Urban Roadway (no parking allowed in hatched area).

C. Additional Standard for Buildings Three Stories or Higher

If the street right-of-way is less than 60 feet in width, the minimum front yard setback for buildings three or more stories in height shall be 30 feet from the center line of the street to ensure adequate fire access.

D. Corner Sites

For a site occupying one or more corners, the building placement standards must be met for the principal street and any other street that abuts the site and intersects the principal street.

E. Sites with Internal Blocks

For a site with internal blocks, each block is required to determine the principal street according to priorities established in Section 4.3.2 and follow building placement standards established in Section 4.3.3.

F. Phased Projects

Phased projects must fulfill the building placement standard for the highest priority roadway adjacent to the site in the first project phase. In subsequent phases, buildings on the site shall then be located along any abutting lower priority street according to the building placement standards in this section.

G. Civic Buildings

In order to provide greater flexibility to create a distinctive architectural statement, civic buildings, as defined in Article 7 Definitions, are not required to meet the building placement standards in this section, so long as parking is not located between the building frontage and the street (see Figure 4-10).

H. Industrial Uses

1. In the Commercial Industrial Subdistrict, development of an industrial use is exempt from the building placement requirements in Section 4.3.3.B.
2. In the Warehouse Mixed Use Subdistrict:
 - a. If the principal street is a NBG Urban Roadway or Highway, development of an industrial use is exempt from the building placement requirements in Section 4.3.3.B.



Figure 4-10: The Austin City Hall is set back from the street in some areas, while other non-civic buildings meet the street. This is a traditional urban design technique intended to emphasize the importance of civic uses.

- b. If the principal street is a NBG Core Transit Corridor or NBG Pedestrian Priority Collector, all development shall meet the building placement requirements in Section 4.3.3.B.
3. For industrial uses in all subdistricts, loading dock bay doors must be located to the side or rear of the building and shall not face the principal street.

4.3.4. Supplemental Zones

A. Applicability

Standard	Applies if the NBG Subdistrict is:						Applies if the Principal Street is:				Applies to the following:
	TOD	CMU	NMU	NR	WMU	CI	CTC	PPC	UR	HWY	
Section 4.3.4 Supplemental Zones	●	●	●	●	●	●	●	●	●		Optional for all development

B. Standards

1. A supplemental zone may be provided, at the option of the applicant, between the street-facing façade line and the required sidewalk clear zone. If a supplemental zone is provided, up to 30 percent of the linear frontage of the supplemental zone may be a maximum of 30 feet wide and the remainder of the supplemental zone shall be a maximum of 20 feet wide (see Figures 4-11, 4-12, and 4-13).
2. Since there are no building frontage requirements if the principal street is a NBG Highway, supplemental zone standards are not applicable if the principal street is an NBG Highway.

Article 4: Site Development Standards
 Section 4.3. Relationship of Buildings to Streets and Walkways
 Subsection 4.3.4. Supplemental Zones

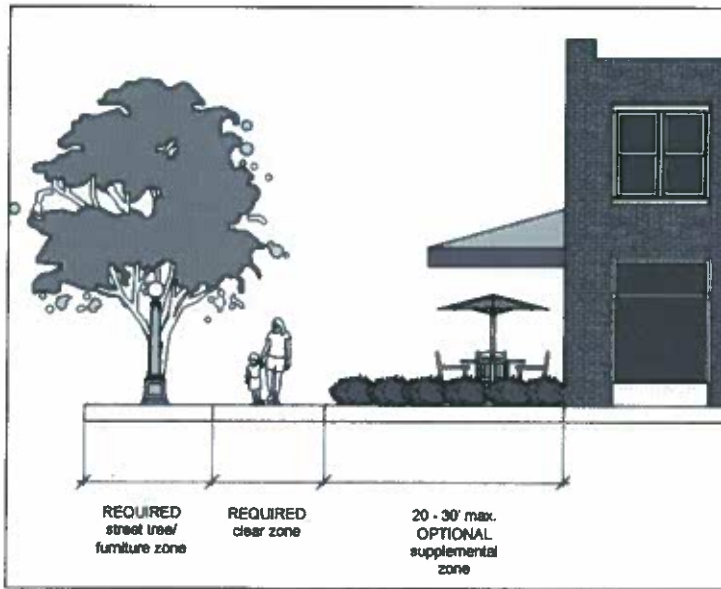


Figure 4-11: Optional supplemental zone.

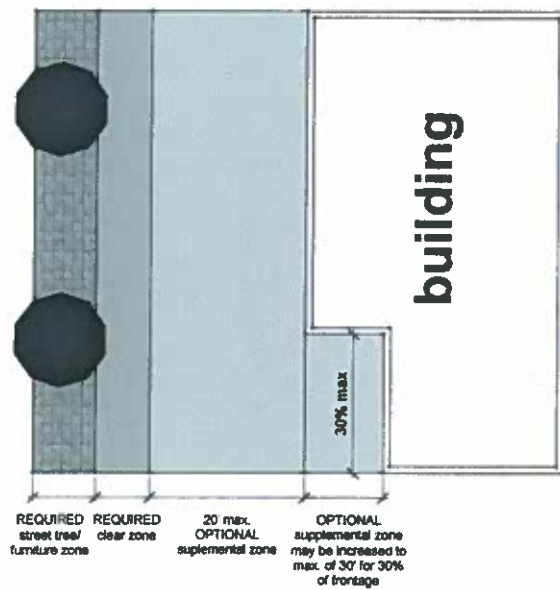


Figure 4-12: Optional supplemental zone may be expanded to 30 feet for a maximum of 30 percent of the frontage.

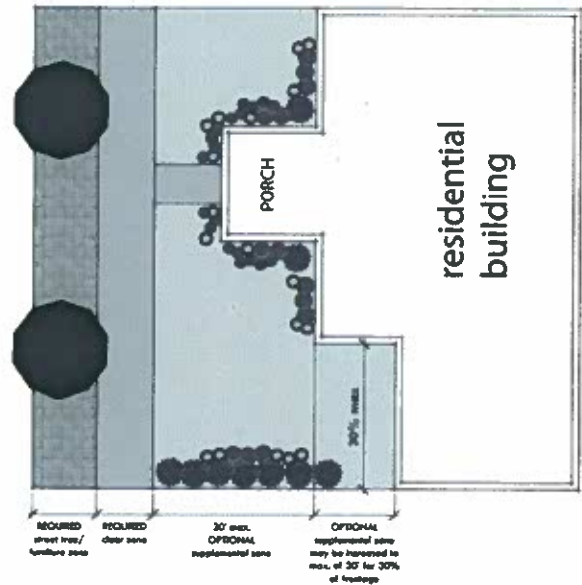


Figure 4-13: Example of allowed elements in a supplemental zone.

- C.** The following elements may be located within the supplemental zone:
1. Accessory outdoor dining, provided that the dining area may be separated from the sidewalk only with planters, shrubs, or fencing with a maximum height of 42 inches (see Figure 4-14);
 2. Balconies, pedestrian walkways, porches, handicap ramps, and stoops; provided, however, that no such feature shall extend beyond the supplemental zone without a license agreement;
 3. Terraces, provided that they have a maximum finished floor height of 24 inches above the sidewalk elevation and shall be surrounded by a guardrail that meets City specifications;
 4. Landscape and water features;
 5. Plazas; and
 6. Incidental display and sales.
- D.** Any features in the supplemental zone must not obstruct the open pedestrian connection between the building's primary entrance and the clear zone.



Figure 4-14: Example of a supplemental zone outdoor dining area

4.4. OFF-STREET VEHICULAR AND BICYCLE PARKING

4.4.1. Applicability

Standard	Applies if the NBG Subdistrict is:						Applies if the Adjacent Street is:				Applies to the following:
	TOD	CMU	NMU	NR	WMU	CI	CTC	PPC	UR	HWY	
Section 4.4 Off-Street Vehicular and Bicycle Parking	●	●	●	●	●	●	●	●	●	●	- All development - Active Edge standards

4.4.2. Parking Requirements

- A. Minimum Parking Requirement:**
60 percent of that prescribed by the LDC Section 25-6 Appendix A (Tables of Off-Street Parking and Loading Requirements)
- B. Maximum Parking Requirement:**
1. 100 percent of that prescribed by Appendix A ; or
 2. 110 percent of that prescribed by Appendix A if the following qualifications are met:
 - a. Any parking spaces provided over 100 percent of the calculated LDC rate in Appendix A are made available for public use; and
 - b. Signage is provided indicating where public parking is available.

4.4.3. Reduction of Minimum Off-Street Parking Requirements

This section provides for reductions in the minimum off-street parking requirements in Subsection 4.4.2. The minimum off-street parking requirement shall be reduced as follows:

- A.** By one space for each on-street parking space located adjacent to the site.
- B.** By up to 10 percent to preserve significant stands of trees or protected trees in addition to those required to be preserved by the Code, pursuant to protection measures specified in the Environmental Criteria Manual. If the applicant provides more parking spaces than the minimum required, the additional parking spaces may not result in the removal of significant stands of trees or protected trees.

- C. By 20 spaces for every car-sharing vehicle provided in a program that complies with the requirements prescribed by the Director by administrative rule.
- D. By one space for each shower facility with three or more lockers provided for employees in a nonresidential building.
- E. By one motor vehicle parking space for each fully enclosed and lockable bicycle parking space.
- F. By 10 percent if parking spaces are leased or sold separately from occupied spaces.

Unless otherwise specified, the above reductions may be applied cumulatively, and may be applied in addition to the parking reduction authorized in Subsection 4.4.2, but in no case may the minimum off-street parking requirements for a project set forth in Chapter 25-6, Appendix A, be reduced to less than 30 percent.

4.4.4. Parking Design Standards

- A. For all roadway types except NBG Highway, off-street parking is prohibited between the principal street and the corresponding street-facing façade line (see Figure 4-15).
- B. Any off-street surface parking along a NBG Core Transit Corridor or NBG Urban Roadway shall have landscape buffering in accord with Section 25-2-1006 of the LDC between the clear zone (or the supplemental zone if provided) and the parking area. The buffering method chosen must include shade trees unless already provided in an adjacent street tree/furniture zone (Figures 4-16 and 4-17).